# VISIT REPORT

## ITALY

## September 2025



CPT

EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

**AD HOC VISIT**

**1 - 12 September 2025**

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COUNCIL OF EUROPE

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Prevention of Torture and Inhuman
or Degrading Treatment or Punishment

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Published on 4 November 2026

Council of Europe

# PREAMBLE

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) is a human rights monitoring body of the Council of Europe, mandated to strengthen the protection of persons deprived of their liberty. This work is achieved through visits to places of detention in each of the states parties to the Convention establishing the CPT (ETS No. 126). There are currently 46 states parties.

The CPT has been carrying out monitoring visits since 1990, visiting each state party on a regular basis through periodic visits. It also carries out *ad hoc* visits which are visits "required in the circumstances", as provided for by Article 7 of its Convention. On average, the CPT carries out eight periodic and ten ad hoc visits each year.

The CPT is composed of independent and impartial members, elected on the basis of their recognised expertise. One member is elected in respect of each state party to the Convention.

The CPT is empowered to visit all places where persons are deprived of their liberty by a public authority. During visits, delegations of the Committee gather information through confidential interviews with persons deprived of their liberty as well as members of staff, examination of registers and files, and direct observation of living conditions and treatment. The CPT also consults with the competent authorities and public bodies, civil society organisations and other stakeholders. It reviews legislation, policies, inspection and other relevant reports, and diverse media sources.

After each visit, the CPT produces a report setting out its findings, assessing the treatment, living conditions and safeguards in place, identifying shortcomings, and formulating recommendations to strengthen the protection of persons deprived of their liberty. CPT reports also identify examples of good practice. They remain confidential until the state concerned authorises publication. The report and the response of the national authorities form the basis for the constructive dialogue pursued by the Committee with each state party.

For more information on CPT reports, standards and activities, please visit the CPT website.

*Note on terminology*

**RECOMMENDS OR REITERATES ITS RECOMMENDATION:** used when the CPT considers that the state party is required to take action to meet a minimum standard of the Committee.

**CALLS UPON:** indicates a recommendation that the CPT has previously made on the same topic to the state party on at least three prior occasions.

**URGES, ENCOURAGES, TRUSTS OR INVITES** (in order of priority): terms used when the Committee wishes a state party to act or comment on specific issues. The aim is to engage the state party in an exchange on important or emerging matters, on which the Committee is currently developing its position or does not (yet) consider requiring of a formal recommendation.

**REQUESTS FOR INFORMATION:** issued when the Committee seeks details on measures already taken or planned by the state party.

All recommendations, comments and requests for information appear in **bold text** in the report. The national authorities are invited to provide a detailed response to each of them.

*The following report was drawn up by the CPT under its own responsibility.*
*Unless otherwise indicated, it covers the situation up to the moment of the visit.*

# Contents


KEY OBSERVATIONS ..... 5

EXECUTIVE SUMMARY ..... 6

GLOSSARY ..... 8

I. Introduction ..... 9

A. The visit, the report and follow-up ..... 9

B. Consultations held by the delegation and cooperation encountered ..... 9

C. Immediate observations under Article 8, paragraph 5, of the Convention ..... 10

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED ..... 11

A. Prison establishments ..... 11

1. Preliminary remarks ..... 11
2. Ill-treatment ..... 13
3. Material conditions and prison overcrowding ..... 19
4. Regime ..... 24
5. Restrictive measures and separated regimes ..... 27
6. Prison staff ..... 30
7. Healthcare services ..... 33
8. Women in prison ..... 43
9. Other issues ..... 48

APPENDIX I – ESTABLISHMENTS VISITED ..... 54

APPENDIX II – List of AUTHORITIES met during the visit ..... 55

## PRIORITY TOPICS

**CONDITIONS OF DETENTION** – Accelerate the implementation of the set of measures stipulated by the so called *Piano Carceri* aimed at the reduction of prison overcrowding

**SECURITY** – Effectively implement a real dynamic security approach in the supervision of inmates by prison staff

**CONDITIONS OF DETENTION** – Improve the conditions of detention, including access to purposeful activities, in the prisons visited, and provide clear information on the plans for Florence Sollicciano Prison

**WOMEN** – Develop a gender-specific approach towards women in prison

## CHRONIC ISSUES

**SEGREGATION AND ISOLATION MEASURES –** Abolish the measure of court imposed solitary confinement for lifers or *"isolamento diurno"* enshrined in Article 72 of the Criminal Code

**HEALTHCARE** – Address the regional disparities in the provision of prison healthcare

## GOOD PRACTICES

**PROFESSIONAL COMPETENCE AND INDEPENDENCE** – Promotion of opportunities for work in prison by attracting external actors and investors, through a system of fiscal relaxation (*Legge Smuraglia*)

**HEALTHCARE** – Good provision of prison healthcare at Florence Sollicciano and Genoa Marassi Prisons in terms of screening upon admission, psychiatric care and substance use

## THE CPT AND ITALY

Italy ratified the ECPT in 1988, and the Committee's first visit took place in 1992.

Since ratification, the CPT has carried out 17 country visits to Italy– 8 periodic and 9 ad hoc – including 75 visits to police establishments, 56 to prisons, 17 to psychiatric institutions, 4 social welfare and educational-correctional establishments and 23 to immigration detention facilities.

All the visit reports have been published. Italy did not accept the automatic publication of the visit reports.

# EXECUTIVE SUMMARY

The purpose of the September 2025 ad hoc visit to Italy was to examine the treatment and conditions of detention of persons held in a number of prison establishments and to assess the way the Italian authorities are tackling the serious challenges facing the prison system, notably prison overcrowding, staff numbers and training, the high number of deaths in prison, and the quality of healthcare provided to prisoners.

The overwhelming majority of the prisoners met by the CPT stated that they had been treated correctly by prison staff. However, a few allegations of ill-treatment were received, notably at Florence Sollicciano, Foggia and Genoa Marassi Prisons consisting of punches, kicks and slaps to various body parts by members of the penitentiary police in the context of critical events (such as episodes of self-harm, prison riots, inter-prisoner violence). The DAP and the senior management in each prison should remain vigilant and ensure that custodial staff understand that all forms of ill-treatment are illegal and will be dealt with accordingly.

The report notes that the phenomenon of inter-prisoner violence and intimidation remains a persistent feature within the Italian prison system. In principle, inmates involved in episodes of inter-prisoner violence were promptly separated by prison staff, received adequate medical care, were swiftly accommodated in another section under Article 32 of the R.P. and, in many cases, transferred to another prison establishment for reasons of order and security. However, issues such as the lack of presence of call bells in most cells, the consistent shortage of custodial officers present on the modules are identified as key contributing factors to inter-prisoner violence. The Italian authorities should put in place a comprehensive strategy for preventing inter-prisoner violence and intimidation through the promotion of a real dynamic security approach by prison staff.

Prison overcrowding represents another feature of the Italian prison system. At the time of the visit, nearly one quarter of inmates were being accommodated in cells affording them only between 3 and 4 m2 of living space each. The Italian authorities should ensure that the CPT minimum standard of 4 m2 of living space in multi-occupancy cells per person is met in practice. Further, the CPT emphasises the importance of promoting the full range of non-custodial measures available to reduce the number of persons held in prisons while also recognising the necessity to invest in upgrading the prison infrastructure.

In terms of material conditions of detention, these varied in the establishments visited and even within each prison, notably in light of the level of prison overcrowding. The poorest conditions were found in the so-called “Article 32 Sections” as well as in those accommodating prisoners under protection. The situation at Florence Sollicciano Prison is particularly dire, with its extremely serious structural deficiencies and continual maintenance challenges resulting from constant water ingress, with high levels of humidity and consequent damp, mould on walls, flaking ceilings and detaching plaster. The Committee invites the Italian authorities to consider the long-term viability of any refurbishment and wishes to be informed about the operational plans for the Florence Sollicciano Prison.

With regard to the regime, the report acknowledges the efforts being made by the Italian authorities to promote additional work opportunities provided by external investors within prison establishments (in accordance with the principles of the so-called Legge Smuraglia). Nevertheless, the Italian authorities need to develop further the range of programmes offered to prisoners to ensure that they can offer a structured day of activities is on offer in the prisons visited. The report emphasises the importance of a programme of customised activities for prisoners subject to a separation measure under Article 32 of the R.P., with the aim of facilitating their transition into ordinary sections. The CPT again reiterates the need to reform the harsh, restrictive measures applied to inmates subject to the so-called regime of "sorveglianza particolare" under Article 14bis of the R.P. (specifically, being accommodated in cells devoid of furniture, absence of treatment activities and the lack of proactive and regular psychological support on offer). It also calls for the anachronistic punitive nature of the so-called court-imposed solitary confinement for lifers, or "isolamento diurno", to be addressed, as it lacks a penological justification.

Despite the clear commitment and constructive working culture of custodial staff, the findings of the 2025 visit reveals that Italian prisons continue to lack a functioning dynamic security approach in the supervision of inmates as set out in the European Prison Rules. Custodial staff in principle remained inclined to a static security approach whereby they remain in their offices outside the sections and only react to incidents. A more operational approach for preventing incidents and maintaining order based on proactive communication, trust-building and daily engagement with prisoners as a means to reduce tension and improve safety needs to be introduced. In this respect, the Committee takes positive note of the DAP Circular of 13 October 2025, which stresses the importance of ensuring a stronger presence of custodial staff and educators within the accommodation areas of prisons and recommends the promotion and implementation of a real dynamic security approach.

As regards the quality of prison healthcare provided to prisoners, the report identifies significant regional disparities noting particular deficiencies in the prison establishments visited in the regions of Campania and Puglia (in particular in terms of inadequate staffing levels and facilities, delays in the access to psychiatric care and in the review of fitness for detention of vulnerable inmates). This was in contrast to the situation observed at Florence Sollicciano and Genoa Marassi Prisons, where there was an excellent provision in terms of facilities, staffing levels and appropriate governance of healthcare. In the course of the visit, the CPT also conducted an assessment of the measures adopted in relation to the prevention of suicides in the prisons visited and concluded that there was a robust multi-disciplinary approach on the screening of prisoners, with examples of comprehensive risk assessment procedures, risk stratification, involvement of custodial staff and emergency protocols. However, the CPT found that the effectiveness of such anti-suicide protocols could be undermined by a combination of prison overcrowding, poor healthcare staffing and the lack of a national strategy for the reduction and removal of ligature points within prisons (notably those on windows, beds, cell gates and light fittings), and the continued absence of call bells within the majority of prison cells.

With regard to women in prison, the CPT reiterates the need for the Italian authorities to incorporate a specific gender-based approach towards female prisoners and the need for women's sections within large male establishments to have a distinct prison management of women prisoners. Further issues raised in the report concern a more thorough compilation of reports on the use of force by staff against inmates, a review of the expediency and proportionality of strip-searches and a review of the use of pepper spray in prison, notably within confined spaces with insufficient ventilation. The Italian authorities should also ensure that all prisoners can make a short phone call to a family member upon admission to prison. Finally, the capabilities of supervisory judges to deal with their workload, notably in terms of processing of requests for alternative measures and complaints from prisoners, need to be increased.

# GLOSSARY

| | |
|---|---|
| ASL | *Aziende Sanitarie Locali* – Local Health Authority |
| ATSM | *Articolazioni per la Tutela della Salute Mentale* – Mental health protection unit in prison |
| CC | Criminal Code |
| DAP | *Dipartimento dell'amministrazione penitenziaria* – the Prison Administration |
| FTE | Full-time equivalent |
| G.I.O. | *Gruppo d'intervento operativo* – Special intervention group in prison |
| G.I.R. | *Gruppo d'intervento regionale* – Regional special intervention group in prison |
| G.O.T. | *Gruppo di osservazione e trattamento* – Multi-disicplinary prison treatment board |
| GP | General Practitioners |
| O.P. | *Ordinamento Penitenziario* –1975 Prison Law |
| ICAM | *Istituto a custodia attenuata per detenute madri* – Mother and child detention unit |
| P.R.A.P. | *Provveditorato Regionale dell'Amministrazione Penitenziaria* – Regional Directorate of the DAP |
| REMS | *Residenze per l'Esecuzione delle Misure di Sicurezza* – Psychiatric facility for security measures |
| R.P. | Regolamento Penitenziario – 2000 Penitentiary Regulations |
| SAI | *Servizio d'Assistenza Intensificata* – Intensive care service |
| SER.D | *Servizi per le dipendenze patologiche* – Drug use service |
| SPDC | *Servizio Psichiatrico di Diagnosi e Cura* – Psychiatric diagnosis and care service |
| TSO | *Trattamento Sanitario Obbligatorio* – Compulsory treatment order |
| *Isolamento diurno* | Court imposed solitary confinement |
| *Sorveglianza dinamica* | Dynamic security |

# I. Introduction

## A. The visit, the report and follow-up

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the Convention"), a delegation of the CPT carried out an ad hoc visit to Italy from 2 to 12 September 2025. The visit was considered by the Committee "to be required in the circumstances" (cf. Article 7, paragraph 1, of the Convention).

2. The purpose of the visit was to examine the treatment and conditions of detention of persons held in a number of prisons and to assess the ways the Italian authorities are tackling the serious challenges facing the prison system, notably prison overcrowding, staff numbers and training, the high number of deaths in prison, and the quality of healthcare provided to prisoners. The visit was an opportunity to follow-up on the implementation of the recommendations of the Committee made in the report on the 2022 visit, as well as the commitments made by the Italian authorities following the high-level talks held in October 2024 between the Minister of Justice and the President of the CPT. It was the Committee's 17th visit to Italy.[1]

3. The visit was carried out by the following members of the CPT:

- Juan Carlos da Silva Ochoa (Head of delegation),
- Christopher Cremona,
- Helena Papa,
- Kristina Pardalos, and
- Alan Mitchell (President of the CPT).

They were supported by Hugh Chetwynd, Executive Secretary, and Christian Loda of the CPT Secretariat, and assisted by Dan Halchin, Director of Arad Prison and former Director General of the Prison Service (Romania), and James Hard, General Practitioner working in prisons (United Kingdom).

4. The report on the visit was adopted by the CPT at its 119th meeting, held from 9 to 13 March 2026, and transmitted to the authorities of Italy on 8 April 2026. The various recommendations, comments and requests for information made by the CPT are set out in bold type in the present report. The CPT requests that the authorities of Italy provide within three months a response containing a full account of action taken by them to implement the Committee's recommendations, along with replies to the comments and requests for information formulated in this report.

## B. Consultations held by the delegation and cooperation encountered

5. In the course of the visit, the delegation, led by the President of the CPT Alan Mitchell, held consultations with Carlo Nordio, Minister of Justice, Stefano Carmine De Michele, Head of the Department of the Prison Administration (DAP), and Marco Doglio, Special Commissioner for the Prison Estate, as well as other senior officials from the Ministries of Justice, Health, and Foreign Affairs and International Cooperation. Further, a separate meeting was also held with the Board of the *Garante Nazionale dei diritti delle persone private della libertà* acting in its capacity as National Preventive Mechanism (NPM) under the United Nations Optional Protocol to the Convention Against Torture (OPCAT).

1. The visit reports and the responses of the Italian authorities on all previous visits are available on the CPT website: https://www.coe.int/en/web/cpt.

6. The CPT delegation received excellent cooperation during the visit from the Italian authorities at all levels. The delegation had rapid access to all places of detention it wished to visit, was able to meet in private with those persons with whom it wanted to speak and was provided with access to the information required to carry out its task.

The Committee wishes to express its appreciation for the assistance provided to its delegation during the visit by the management and staff in the establishments visited, as well as for the support offered by its liaison officer, Ambassador Giovanni Battista Iannuzzi, President of the Inter-Ministerial Committee for Human Rights at the Italian Ministry for Foreign Affairs and International Cooperation.

## C. Immediate observations under Article 8, paragraph 5, of the Convention

7. During the end-of-visit talks with the Italian authorities, on 11 September 2025, the CPT delegation made one immediate observation under Article 8, paragraph 5, of the Convention. The Italian authorities were requested to address the specific situation of five inmates and transfer them to a setting where they could be provided with appropriate therapeutic assistance in order to address their specific needs (see paragraph 24).

These observations were confirmed by letter of 23 September 2025 when transmitting the delegation's preliminary observations to the Italian authorities.

On 12 December 2025 the Italian authorities informed the CPT of the actions taken in response to these immediate observations and on other matters raised by the delegation at the end-of-visit talks. This response has been taken into account in the relevant sections of the present report.

# II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

## A. Prison establishments

### 1. Preliminary remarks

#### a. context and rationale of the visit

8. The 2025 ad hoc visit to Italy revolved around the serious and longstanding problems affecting the Italian prison system. These include the increasing rate of prison overcrowding (standing at 135% of the actual prison capacity at the time of the visit); deteriorating material conditions in a significant proportion of the prison estate; a high number of suicide among prisoners (that is, 83 in 2024 and 76 in 2025); regional imbalances and fragmentation in the quality of healthcare provision to prisoners; and deficiencies in the complement and quality of supervision by prison staff, with a prevalence of static versus dynamic security, as well as high levels of violence and critical events (inter-prisoner violence, prison riots, aggression against prison staff, self-harm and attempted suicide).

These issues were the subject of high-level talks between the President of the CPT and the Minister of Justice, in Rome in October 2024. Subsequently, the Italian authorities have taken a series of measures, such as the adoption of a new Decree on 24 July 2025 No. 128 which included a revised prison estate construction plan (*Piano Edilizia Penitenziaria 2025-2027*) to be co-ordinated by a Special Commissioner for Prison Estate,[2] provisions for the release of inmates suffering from substance use-related issues to therapeutic communities,[3] and for inmates successfully involved in rehabilitative programmes to be eligible for early release by decision of a supervisory judge under certain conditions.[4] To date, these measures have not had a discernible impact on reversing the rise in the prison population.

9. At the outset of the visit, the Director of the DAP and other senior officials from the Ministry of Justice and Health, as well as the Special Commissioner for Prison Estate informed the delegation about several ongoing measures. Notably, by 2027, it was expected that 10 900 new prison places would be created through some 60 projects, which included the modernisation, refurbishment and adaptation of existing state-owned property as well as the introduction of some pre-fabricated modules.[5]

**The CPT would like to be provided with regular updates, on a quarterly basis, on the implementation of the above-mentioned measures designed to modulate the rise in the prison population, and to receive precise details on the number of additional prison places created to date and those currently being planned for the years 2026 to 2030.[6]**

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2. The Special Commissioner for Prison Estate was appointed in July 2024 to coordinate a package of measures to increase the overall capacity of the prison system while improving the structural conditions of the existing establishments.

3. The new legislation stipulates that prisoners convicted of criminal offences related to drug or alcohol abuse and facing a custodial sentence with a maximum duration of eight years, may request admission to home detention at an accredited facility authorised to undertake health and socio-sanitary activities, subject to the approval of a specific, therapeutic, socio-rehabilitation residential programme.

4. The Decree introduces a procedure for the more expeditious granting of early release to prisoners by supervisory judges, notably through the digitalisation of prisoner personal files and the transmission of the relevant treatment-related assessment elements from the prison director to the competent supervisory judge.

5. A preliminary survey revealed a deficit of approximately 10 549 prison places as of 31 December 2024. The programme is planning to construct and commission more than 10 845 new detention places over the three-year period 2025-2027, which would cost approximately €1.3 billion. The figure would consist of the following components: 808 places through maintenance projects undertaken by the DAP, 1 944 through extension and refurbishment of existing prison establishments, 4 477 places to be created through ordinary and extraordinary refurbishment works of the detention places of the existing prison estate which are currently out of service, 3 388 places to be created by the Ministry of Infrastructure and Transport, and 228 through targeted interventions of the DAP.

6. The Committee recognises the necessity to upgrade the prison estate but it considers that *"..constructing new prisons and/or permitting prison population inflation will not provide a lasting solution to the problem of overcrowding."*

10. The Italian Prison system consists of 189 prison establishments (including *Case Circondariali* and *Case di Reclusione*) which are under the management of the *Dipartimento dell'Amministrazione Penitenziaria* (DAP) and its regional offices, or *Provveditorati or* PRAPs. The system is regulated by the 1975 Penitentiary Law (*Ordinamento Penitenziario* or O.P.) and the 2000 Penitentiary Regulations (*Regolamento Penitenziario* or R.P.). The DAP also regulates several aspects of prison life through its circulars as a form of tertiary legislation.

At the time of the visit, the 189 prison establishments of the Italian system were accommodating 63 198 inmates for an official capacity of 51 275 places. However, in practice only 46 706 were operational as 4 569 places were deemed to be either unsuitable or had been converted for other uses.[7] This amounted to an effective prison occupancy rate of 135% with a consistent imbalance at the regional level. The primary indicators of the overall prison population demonstrate consistency with preceding years, showing no significant deviation in the percentage of the population on remand (15%), the proportion of foreign nationals (31%, a modest decline),[8] and the percentage of female prisoners (4.3%). The incarceration rate of Italy stood at 106 prisoners per 100 000 inhabitants.

### b. establishments visited

11. The CPT visited five prison establishments in four different regions (Campania, Liguria, Toscana and Puglia) and *Provveditorati*:

Avellino Prison, located in the southern periphery of the city around 70 kilometres south-east of Naples, was accommodating 551 prisoners (32 of whom were female) for an official capacity of 500 places and an operational capacity of 449 (with an occupancy rate of 122%). Meanwhile, foreign national prisoners made up 10% of the population. At the time of the visit, the prison was undergoing major refurbishment of the medium security modules for the accommodation of prisoners under the separation measure pursuant to Article 32 of the R.P., and had just completed renovation of a dedicated separate module for the accommodation of females under the high-security circuit.[9] The establishment, inaugurated in 1984 and replicating a telegraph pole shape, consisted of three different two-storey pavilions interconnected and a separate, 39-cell self-standing two-storey building for the accommodation of female prisoners. The delegation also paid a visit to the mother and child detention unit (*Istituto a custodia attenuata per detenute madri* or ICAM) of Lauro, located around 20 kilometres from Avellino under the responsibility of the establishment.

12. Florence Sollicciano Prison, inaugurated in 1988, was accommodating 574 prisoners (74 of whom were female) at the time of the visit for an overall official capacity of 502 places but an operational capacity of 358 (an effective occupancy rate of 160%) and a rate of foreign national prisoners of 68% (that is, 390 out of 574). The plan of the establishment is inspired by the lily of Florence, featuring a flower-like structure with semicircular pavilions and connecting corridors. The pavilions accommodating sentenced prisoners (*Penale*, five sections) and detainees on remand detention (*Giudiziario*, eight sections, of which two accommodated prisoners under a separation measure pursuant to Article 32 of the R.P.) are in the shape of convex semicircles. The prison also included one female section, an admissions unit (including a psychiatric unit or *Articolazione per la Tutela della Salute Mentale* or ATSM), two transit sections (*Transito I and II*) accommodating prisoners under an isolation measure and those working outside the perimeter of the prison pursuant to Article 21 of the O.P., as well as a separate unit for justice collaborators (*Reparto M*).

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*See* the 31st General Report on the CPT's activities CPT/Inf(2021)5, paragraph 104.

7. The regulatory capacity of prison establishments in Italy is based on the Ministry of Health's order of 15 July 1975, which stipulates that the floor surface of prison cells must provide a minimum of 9 m2 per prisoner in single occupancy cells and an additional requirement of 5 m2 of living space per each prisoner in a multi-occupancy cell.

8. The distribution of foreign nationals in prison was also subject to consistent regional imbalances. For example, at the time of the visit, such category accounted for 53.9 % of the prison population in the Region of Liguria and 12.42 %in the Region of Campania and 10.6 in the Region of Puglia.

9. The establishments received 35 female prisoners belonging to the high-security AS3 circuit in the course of the CPT visit to Avellino Prison.

The prison establishment is unfortunately renowned for its structural deficiencies and state of dilapidation due to the poor construction material, water ingress, inefficient maintenance and vermin infestation despite the efforts invested by the authorities. For example, at the time of the visit 108 out of the 358 cells were out of service due to inadequate conditions and two sections were under renovation (see paragraph 29).

13. Foggia Prison, located around three kilometres from the city centre, is an establishment consisting of two main two-storey detention buildings (that is, *Giudiziario Vecchio* inaugurated in 1978 and *Nuovo Complesso,* which entered into service in 1992) interconnected by corridors. At the time of the visit, it was accommodating 671 prisoners (33 of whom were female) for an operational capacity of 302 places and an occupancy rate of 222%.[10] The proportion of foreign national prisoners was just over 10% (69 of 671). The establishments included several sections for medium security prisoners subject to enhanced and ordinary treatment, Article 32 of the R.P. separation measures, a section for prisoners under protection, and a section for sex-offender inmates (*Vecchia Infermeria*). The 33 female prisoners were accommodated in a separate two-storey building within the perimeter of the establishment.

14. Genoa Marassi Prison,[11] an historic prison establishment inaugurated in 1880, was entirely renovated in 1990. At the time of the visit, it was accommodating 683 male prisoners for a capacity of 535 available places (that is, an occupancy rate of 128%). The establishment consists of six four-storey pavilions distributed radially around a panopticon; Pavilion I for remand prisoners, Pavilion II accommodating sentenced prisoners, Pavilion III for those on an attenuated regime,[12] Pavilion IV clinical centre or *Servizio di Assistenza Intensificata* or SAI, Pavilion V accommodating prisoners under the high-security regime (AS3) and Pavilion VI for those prisoners serving an isolation or separation measure including under Article 32 of the R.P.

15. Santa Maria Capua Vetere Prison, located around 30 kilometres north of Naples, was first inaugurated in 1996 and expanded in 2013.[13] At the time of the visit the prison establishment was accommodating 1 038 prisoners (65 of whom were female) for a total of 676 available places. 150 places were unavailable due to ongoing refurbishments and the rate of prison overcrowding stood at 154%. The prison establishment followed a telegraph-pole architectural layout and consisted of six self-standing units (divisions/pavilions), named after rivers and categorised as follows: Volturno (three storeys), Nilo (four storeys), Tevere (three storeys), which accommodated prisoners under the medium-security regime, Tamigi (four storeys) housed prisoners under the high-security regime, and Danubio, a two-storey unit divided into four sections, accommodated prisoners subject to isolation or separation measures, as well as protected prisoners. Furthermore, a separate two-storey unit (Senna) was accommodating 65 female prisoners under the high-security (AS3) detention circuit.

## 2. Ill-treatment

### a. physical ill-treatment

16. The overwhelming majority of the prisoners met by the delegation said that they had been treated correctly by prison staff. However, a few allegations of ill-treatment including excessive use of force were received, notably at Florence Sollicciano, Foggia and Genoa Marassi Prisons (incidents sometimes allegedly having occurred also in other prisons from which the prisoners concerned had just been transferred), consisting of punches, kicks and slaps to various body parts by members of the penitentiary police (including intervention groups belonging to the recently established *Gruppi d'Intervento Operativi* or G.I.O. see paragraph 20) in the context of critical events (such as episodes of self-harm, prison riots, inter-prisoner

10. The establishment was, at the time of the visit, the second most overcrowded prison in Italy.
11. The CPT previously visited Genoa Marassi Prison in 2016.
12. This included inmates with substance use disorders engaged in therapeutic activities, as well as prisoners working outside the prison under Article 21 of the O.P.
13. The prison establishment gained notoriety on a national scale due to the episodes of severe physical ill-treatment of inmates by prison staff, which took place at the Nilo Pavilion on 6 April 2020 during an outbreak of unrest precipitated by the Covid-19 lockdown. At the time of the CPT visit, numerous members of the prison staff had been suspended or relocated to other prison establishments and were undergoing legal proceedings for their alleged involvement in these incidents.

violence, physical aggression of inmates against prison staff etc.). The incidents in question were described and recorded in the record which the prison management is obliged to send to the DAP following every *evento critico* notably under the title of "aggression against prison staff", "brawl" or "inter-prisoner violence".[14]

For example:

- An inmate (AA) met by the CPT delegation at Foggia Prison alleged that on 12 August 2025 following a verbal and physical altercation with two members of custodial staff in his cell of the I Section of the New Pavilion, he had been repeatedly hit with punches, slaps and kicks to various parts of the body and in particular on his left ear, causing it to bleed. Later that day he was physically examined at the infirmary and the following entry was included in his medical file: "*trauma to the left tympanic membrane*" without reference to its possible origin.

- Five inmates accommodated at Pavilion VI of Genoa Marassi Prison who had been involved in the prison riot of 4 June 2025 (see paragraph 20) told the delegation that members of the GIO (*Gruppo d'Intervento Operativo*) had slapped and punched them after order had been restored and while they were being escorted back to Section VI. The alleged ill-treatment took place in the stairways of pavilion II, which is not covered by CCTV.[15] The CPT delegation was able to find notes in the prisoners' medical documentation confirming their allegations. For example, one inmate provided to the delegation photographic documentation of the injuries inflicted by the members of the G.I.O. which appear to show superficial grazes and bruising to the right side of the face extending from the angle of the jaw to the periorbital region with a healing periorbital haematoma. In addition, his medical file included the following entry on 5 June 2025: *"The inmate stated that he had been assaulted the previous night by prison guards. All members of the cell were assaulted by the prison guards. He was transferred from Section 2 to Section 6. Scratches were found on both wrists, grazes on the left knee and shoulder, and hyperaemia."*

17. By letter received on 12 December 2025, the Italian authorities (DAP) informed the delegation of their commitment to ensure full accountability for episodes of possible physical ill-treatment of inmates by staff, stressing that, in the course of 2025, a total of 11 cases had been investigated by the Central Inspectorate of the DAP and referred to the relevant prosecutorial authorities. In this respect, the DAP maintains that all episodes of critical events (*eventi critici*) funnelled at the central level are examined and that investigations are promptly launched in case of any reasonable suspicion of prison staff misconduct. Further, in an effort to reinforce accountability of custodial staff, the DAP had recently begun testing the use of body-worn cameras to be worn by custodial staff in the course of various operations, such as the management of critical events by custodial staff and intervention groups (such as the G.I.R. and G.I.O.), and the transfer and escort of inmates outside of prison establishments.[16] The CPT welcomes this commitment by the DAP and the proposed measures to increase accountability.

18. **The CPT recommends that the DAP and the senior management in each prison remain vigilant and ensure that custodial staff understand that all forms of ill-treatment, including excessive use of force when managing challenging prisoners and verbal abuse of persons in prison, are unprofessional, illegal and will be dealt with accordingly.**

14. It is incumbent upon each prison establishment to report any critical incident to the Situation Room of the DAP (*Sala Controllo Situazioni*), with a view to ensuring the live monitoring and analysis of critical incidents and the adoption of the relevant corrective measures.
15. On 4 June 2025, during the intervention, the inmates in question had initially been extracted from their sections by the G.I.O. in view of their transfer to another prison establishment. However, they were subsequently accommodated in Pavilion VI of Genoa Marassi Prison under a separation measure pursuant to Article 32 of the R.P.
16. In particular, the DAP had issued Guidelines on the use of body-worn cameras on 23 January 2025 and had initiated their testing in the course of November 2025. The resort to the use of body-worn cameras had been hailed by some prison staff unions.

**Further, the CPT recommends that the Italian authorities ensure that all prison officers are properly trained, with refresher courses at regular intervals, in the use of recognised methods of control and restraint which would be in compliance with the principle of proportionality. They should also receive training on verbal de-escalation skills to defuse incidents and thereby avoid the need to use force. Further, the CPT would like to receive information on the training activities conducted in respect of members of the G.I.O. and G.I.R. intervention groups, notably in relation with modules of the training handbook on the emergency situations mentioned in paragraph 71 as well as the first results of the testing of body-worn cameras.**

### b. inter-prisoner violence and intimidation

19. The phenomenon of inter-prisoner violence and intimidation remains a feature of the Italian prison system. A total of 2 914 such incidents of various degrees of gravity were reported by the relevant prison establishments to the DAP and recorded as *eventi critici* from 1 January to 31 July 2025. The delegation itself witnessed two such episodes during this visit (notably at Avellino and Santa Maria Capua Vetere Prisons) and gained a certain understanding of the complexities of their root causes, the inherent deficiencies and the potential measures to better prevent and manage them. In principle, inmates involved in episodes of inter-prisoner violence were promptly separated by prison staff, received adequate medical care, were swiftly accommodated in another section under Article 32 of the R.P., and in many cases transferred to another prison establishment for reasons of order and security.[17]

However, issues such as the lack of presence of call bells in most cells (or of an interphone system), the consistent shortage of custodial officers in modules (in particular during evening and night shifts, see paragraph 65) as well as a distorted application and comprehension of the concept of dynamic security (see paragraph 68) were considered to be among the predominant reasons enabling inter-prisoner violence to occur. For example, the following episodes of inter-prisoner violence directly observed by the delegation were typical of such deficiencies:

- On 2 September 2025, following a verbal altercation in a cell of the Danubio Module of Santa Maria Capua Vetere Prison an inmate had punched his cellmate.[18] A member of staff was only alerted after several minutes by other prisoners in adjoining cells banging on their doors repeatedly.

- On 6 September 2025, during the CPT visit to the infirmary of Avellino Prison, a staggering and visibly disorientated inmate approached the nursing station (where the cardiac emergency of another prisoner was ongoing) asking for medication after having been punched by another inmate in the infirmary detention area located on the upper floor. The only prison staff present on duty were occupied with the cardiac emergency and the 36 inmates were left unsupervised.

20. The CPT delegation examined in particular two serious episodes of inter-prisoner violence, which occurred at Avellino and Genoa Marassi Prisons with serious repercussions for the security of the establishments and for the management:

i. On 22 October 2024, a group of prisoners, after taking the keys of the first-floor right section of the Old Pavilion of Avellino Prison by force from a prison officer who was subsequently held hostage in his office, entered the cell of prisoner A. Once inside the cell, they delivered a series of punches, kicks, and blows with hard objects (metal bars from bed frames, wooden sticks from stools) to Mr A, leaving him unconscious. Mr A was brought to the prison infirmary by his cellmates using the stolen set of keys. The attacking members returned to their section and provoked a riot until the prison staff finally regained control. Mr A suffered serious injuries and after initially being

17. Pursuant to Article 42.1 of the O.P. transfers of prisoners may be ordered for serious and proven security reasons, the needs of the institution, justice, health, study and family reasons. Furthermore, DAP Circular No. 3702/6152 of 23 September 2023 also stipulates that prison management may request authorisation for the transfer of inmates who have been protagonists of serious episodes of inter-prisoner violence, by way of a motivated motion to the relevant PRAP.

18. Whose medical file contained photo documentation showing injuries on the right temporal region, right side of the neck and anterior chest wall.

hospitalised at Avellino Hospital was transferred in a vegetative state to a nursing home[19] and died on 25 October 2025. The examination of the relevant documentation by the delegation (incident reports, journals, inspection reports and interviews with prison staff) revealed several flaws in the management of such a critical event, notably poor intelligence and an inadequate risk assessment (given that another serious episode of inter-prisoner violence with Mr A as one of the perpetrators had taken place three days earlier), the paucity of prison staff on duty, as well as the delays in re-establishing order in the section accommodating the perpetrators of A's beating.

ii. On 3 June 2025, a prisoner who was being escorted by a custodial officer operating in Section I of Pavilion I of Genoa Marassi Prison deliberately stopped in front of cell No. 8, raising suspicions. After opening Cell No.8, prison staff noticed that Mr B, a young adult prisoner, had a visibly swollen face and removed him from the cell. After being escorted to the infirmary, Mr B reluctantly revealed that he had been subjected to physical and psychological ill-treatment including sexual assault, by four of his five cell mates over a period of several days because they thought he was a sex offender.[20] His medical files included a description of the serious injuries suffered and recorded, which were assessed as compatible with serious physical ill-treatment as well as sexual assault. Subsequently, he was transferred to the San Martino Hospital.

Later that same day, once the story of what had occurred circulated around the prison, a riot involving prisoners from the two large Pavilions of Genoa Marassi Prison ensued. This prompted the deployment of intervention groups from other prison establishments in the Liguria Region, a G.I.O. from Milan and other law enforcement components to secure the perimeter of the prison. See paragraph 16 above for allegations by prisoners of excessive use of force by intervention officers.

An examination of the relevant documentation by the delegation showed that a series of serious flaws had contributed to this event: poor intelligence and a lack of a dynamic security approach. Mr B had already been refused accommodation in several cells and had had to change cell ten times over the two preceding months. The fact that a prisoner could be held in a cell and abused over the course of several days without the prison staff noticing demonstrates the inability of the Italian prison system to fulfil its duty of care. All prisoners must be seen by staff whenever there is a roll call.

Further, the conduct of the operation of intervention groups also raised some questions as to the mixture of operations with ordinary prison staff, and the lack of CCTV coverage on the stairways where the alleged ill-treatment of prisoners by prison staff had taken place during their extraction. By letter received on 12 December 2025, the DAP informed the Committee that it had conducted an inspection of Genoa Marassi Prison in relation to the events of 4 June 2025 and that its conclusions were pending the outcome of the criminal investigation on the facts, which was being conducted by the competent Genoa Prosecutor.

21. As mentioned, both serious incidents which occurred at Avellino and Genoa Marassi Prisons were characterised by several flaws, such as the fact that at Avellino Prison inmates were moving around without being escorted, that the gates of the sections were regularly left open, and that staff members on night shifts had the habit of leaving their posts without prior notification.

Further, the events of Genoa Marassi Prison exposed deficiencies in staff engagement during roll call, the fact that Mr B. had undergone ten cell relocations within a three-month span, and that his profile as a vulnerable prisoner should have necessitated heightened protection and the avoidance of his placement with problematic inmates who were prone to abusive behaviour.

19. F.P. suffered, *inter alia* multiple fractures, a punctured lung and a severe head trauma.

20. He was apparently struck multiple times with broomsticks and a bar of soap placed inside a sock and subjected to sexual violence in the sanitary annexe of the cell. Furthermore, the perpetrators allegedly threatened to harm T.S.'s family.

However, at the time of the CPT visit, it appeared that there had been no internal reflection and 'lessons learned' analysis to prevent similar events occurring in the future. The delegation was informed that an inspection team from the DAP had visited Genoa Marassi Prison but no feedback had been provided to the prison management and the prison itself had not taken any steps to review its practices.[21]

22. At Florence Sollicciano and Genoa Marassi Prisons, the delegation observed a tense and intimidating climate among prisoners on certain wings. At Florence Sollicciano Prison, the volatile climate was apparently influenced by the arrival of a number of young adults of Egyptian nationality who were attempting to intimidate and racketeer other prisoners. The situation was exacerbated by frequent intoxication from home-made alcohol and the poor hygiene and material conditions. Episodes of aggression towards prison staff were also frequent.

Indeed, two entire sections of Florence Sollicciano Prison had been damaged during a riot that had been instigated and led by a group of young Egyptian inmates on 25 July 2024, soon after they had been informed of the suicide of an inmate in the same prison.[22]

23. **The CPT recommends that the Italian authorities put in place a comprehensive strategy for preventing inter-prisoner violence and intimidation through the promotion of a real dynamic security approach by prison staff (as outlined in paragraph 70 below). A pivotal element of this strategy will entail allocating significantly more resources to the promotion of staff competencies to ensure that the measures provided for can be effectively implemented. This should include the ability to identify potential perpetrators of violent acts against other prisoners, as well as to recognise when vulnerable prisoners might be seeking help through actions that are contrary to the internal prison rules.**

**In addition, a comprehensive cell share risk assessment should be conducted upon the admission of each prisoner, with the objective of identifying any potentially incompatible categories.**

**Finally, the Committee wishes to be informed about the outcome of the investigations into the events at Genoa Marassi Prison on 4 June 2025, and whether this has resulted in any lessons learned and, if so, whether they have been transformed into revised policies and training programmes for prison staff. It would also like to know whether the prison management of the Genoa establishment has been consulted on the outcome of the investigations.**

### c. situations amounting to *de facto* inhuman and degrading treatment

24. As mentioned in paragraph 7 at the end of its visit, the delegation invoked Article 8, paragraph 5, of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and requested that action be taken to improve the treatment of five persons in light of their serious somatic and psychiatric comorbidities and unsuitable conditions of detention.

i. Mr C, an inmate accommodated at Santa Maria Capua Vetere Prison, was affected by Tourette's Syndrome. His condition was characterised by persistent facial tics, involuntary motor movements, and vocal outbursts, in association with significant psychiatric comorbidities, including episodes of self-harm and behavioural dysregulation. The inmate also suffered from detrusor bladder instability, a neurological disorder in which the bladder contracts unpredictably, leading to the sudden and uncontrollable urge to urinate. This condition posed profound difficulties in a custodial environment and required close specialist management. Despite these serious conditions, the inmate had not been provided with regular physiotherapy, occupational therapy, neurological

21. By letter of 12 December 2025, the DAP informed the Committee that two inspections had been carried out to Genoa Marassi Prison in relation to the June 2025 events.
22. The riots, which included acts of vandalism, arson and flooding, resulted in the closure of two sections of the prison (Nos. V and VI).

assessments, urology assessments, nutritionist assessments or the high-frequency specialist follow-up that would normally be considered indispensable for a case of this severity. Further, his nutritional status was gravely compromised, with a Body Mass Index (BMI) of less than 16, indicating severe malnutrition and a life-threateningly low body weight.

When examined by the delegation on 3 September 2025, P.C. presented with self-harm lesions and was noted to display significant health-related vulnerabilities. The local health authority of Caserta (*Azienda Sanitaria Locale di Caserta*) certified his incompatibility with detention on 4 September 2025. By letter of 12 December 2025 the Italian authorities informed the CPT that, on 10 September 2025, prisoner C was placed under alternative home detention for health reasons, granted by the Supervisory Magistrate of Santa Maria Capua Vetere.

ii. Mr D, an inmate accommodated in the module for protected prisoners (*protetti)* at Foggia Prison, was suffering from multiple sclerosis, paraplegia (requiring a wheelchair) and pulmonary embolism on anti-coagulants. Further, he was in need of regular intermittent catheterisation and was assisted by a caretaker (*piantone*). Mr D was unable to access the courtyard due to the presence of stairs, and the sanitary facility in his cell was clearly not equipped for his disability requiring his *piantone* to carry him into the facility each time he needed to comply with his hygienic and biological needs. By letter received on 12 December 2025 the Italian authorities informed the CPT that the competent PRAP in Bari had ordered his transfer to Lecce Prison, where he would be provided with the necessary healthcare and appropriate living conditions that would ensure his independent movement and accommodate his individual needs due to the disability.

iii. Mr E, an inmate accommodated in Foggia Prison, suffered from a bipolar mental disorder and was accommodated in extremely impoverished material conditions together with five other cellmates. By letter received on 12 December 2025 the Italian authorities informed the CPT that the aforementioned individual was released from Foggia Prison on 15 September 2025, as the precautionary measure was declared ineffective due to his mental condition.

iv. Mr F, an inmate accommodated in an ordinary module of Foggia Prison, was suffering from a serious pulmonary pathology. He had to share his cell with up to five smoking cellmates because of the absence of any dedicated non-smoking cells due to the serious overcrowding rate recorded at Foggia Prison. By letter received on 12 December 2025 the Italian authorities informed the CPT that F's health was currently being monitored at Foggia Prison and that he had been provided with an adequate detention setting in a different cell.

v. Mr G, an inmate accommodated in the *protetti* module of Foggia Prison had a bipolar mood disorder and a history of several suicide attempts and episodes of self-harm. He had attempted suicide by hanging in the sanitary annex of his cell one week prior to the visit of the delegation (he still had visible marks around his neck) and allegedly once more after the CPT visit. In the view of the delegation his mental status along with delayed psychiatric appointments and the particularly impoverished material conditions and absence of activities in the *protetti* module, poses significant risks for his mental well-being. By letter received on 12 December 2025 the Italian authorities informed the CPT that the inmate in question had been provided with a work activity which he was exercising with satisfaction and which contributed to the improvement of his mental health condition.

25. The CPT takes note of the action taken by the Italian authorities to remedy the specific situation of the above-mentioned inmates.

Regrettably, the Committee considers that the current pressure on prisons is resulting in many such cases not being addressed in a timely manner.

**The CPT recommends that, in the context of the current efforts to implement the Decree on the *Piano Carceri*, the Italian authorities ensure that the DAP, PRAPs and prison directors are alerted to any cases of prisoners' lack of fitness for detention in terms of somatic or mental health conditions. These cases should be brought promptly to the attention of the relevant supervisory judge, with a view to finding an alternative solution.**

## 3. Material conditions and prison overcrowding

26. Over the past decade, the Italian authorities have adopted several legal provisions concerning the paucity of material conditions in prisons. The October 2018 amendments of the O.P. introduced several provisions regarding in-cell sanitation facilities (full partitioning of sanitary annexes and the installation of in-cell showers), the provision of cell heating *"as required by the weather conditions,"* and the supply of better quality food. Furthermore, Article 10 of the O.P. stipulates that "courtyards should be adequate in size and design and equipped with shelters against inclement weather." Moreover, the DAP proceeded to publish revised factsheets pertaining to each prison facility, encompassing the overall standard of maintenance and the progression of refurbishments in all prison establishments nationwide, as well as providing an overview of cells which had been decommissioned due to their substandard condition.[23] The appointment of a Special Commissioner for Prison Estate in 2024 has also provided additional momentum for the needs assessment of the existing prison estate and the measures to be adopted to upgrade the conditions of detention to meet the rising prison population.

### a. material conditions

27. The material conditions observed by the delegation varied considerably from one establishment to another as well as within the same prison. This diversity could be attributed to a number of factors, including the non-linear development and construction of different pavilions and the presence of architectural and design deficiencies.

28. At Avellino Prison, material conditions of detention were good in the recently inaugurated De Vito Pavilion, cells measuring 22 $m^2$ were accommodating three to four inmates (4.5 to 6.5 $m^2$ of living space per person) and were equipped with bunk beds, tables, stools, a fully-partitioned sanitary annex with cooking space, and separate toilet with shower offering good ventilation and access to natural light. The conditions in the older building (ground, first and second floors) were not acceptable, with cells offering cramped conditions well below the 4 $m^2$ statutory standard advocated by the CPT for multiple occupancy cells (for example three persons in 9 $m^2$, six in 22 $m^2$ and seven in 25 $m^2$) and with water infiltration in the section located on the ground floor due to malfunctioning sanitary fixtures. The most precarious conditions of detention were noted in the 11-cell separation module accommodating 51 prisoners under protection (*protetti*) for a capacity of 27 places, notably in terms of living space (up to six persons in 20 $m^2$), state of disrepair and decay, non-secure wiring, inadequate storage space, poor ventilation notably due to the lack of air extraction in sanitary facilities, and poor thermal insulation of windows. Furthermore, the entire prison establishment was affected by water shortages during the night.[24] By letter of 12 December 2025, the Italian authorities informed the CPT that the refurbishment of the Danubio Module of Santa Maria Capua Vetere Prison had been added to the programme of extraordinary maintenance under the responsibility of the Special Commissioner on Prison Estate.

29. Florence Sollicciano Prison is not fit for purpose. The deficiencies are well known to both the DAP and the Ministry for Infrastructure, which have been unsuccessfully attempting to mitigate the poor construction and continual maintenance challenges resulting from constant water ingress, with high levels of humidity and consequent damp, mould on walls, flaking ceilings and detaching plaster. Investments made include the renovation of the roof, insulation and waterproofing; the construction of a new rainwater

23. See in particular the relevant section of the website of the Italian Ministry of Justice.
24. Water shortages were common in the area of Avellino and a major cause of concern for the local authorities and population.

collection and drainage system; and the restoration of the facades using prefabricated reinforced concrete panels. Such works have not always been successful and in some cases were not finalised, and legal disputes were ongoing with the contractors since 2023. Furthermore, the establishment was also coping with chronic bed bug infestation, which the prison management was trying to address through periodic disinfestation and the purchase of industrial washing machines and dryers. Finally, at the time of the visit, there was no water supply to the prison due to a malfunction in the system.

At the time of the visit, 108 of the 358 cells were not in service due to extensive water ingress and the damage caused to Sections V and VI during the riot of July 2024.[25] Each section consisted of 17 single-occupancy cells and two multiple-occupancy cells for four persons. The recently renovated Sections, such as No. IV, offered satisfactory conditions in cells measuring 13 $m^2$ for three persons, were suitably equipped and possessed a fully partitioned sanitary annex. By contrast, conditions in the unrenovated sections (such as Sections I and II) were poor: cell furniture was old and damaged, mattresses were worn-out and visibly stained, the plaster was flaking off the walls and ceiling, lights in a number of cells did not function, sanitary facilities were dilapidated (leaking pipes, missing toilet seats, broken taps) and hygiene was poor. None of the cells possessed call bells. The shower rooms were in a particularly degraded state, with mould-covered walls, poor drainage, and no provision for privacy. On several occasions, inmates reported that they were unable to access hot water.

30. Foggia Prison offered generally poor conditions throughout the establishment with little variation across prison sections. In particular, occupancy levels were alarmingly high, providing well below the minimum 4 $m^2$ of living space per person in the majority of cells (for example seven and up to eight persons in 24 $m^2$, six in 21 $m^2$, three in 11 $m^2$), and with problematic aspects such as poor ventilation in cells, scraped walls, poor thermal isolation of windows and sporadic vermin infestation in some cells. Furthermore, showers had not been installed in cells in the *Vecchio Giudiziario* and the common shower facilities displayed layers of mould on the ceilings and some damaged showerheads and taps. The most decrepit conditions were found in the 7-cell so called sex-offender module (*Vecchia Infermeria*) accommodating 27 prisoners located just above the healthcare unit. This section was characterised by high occupancy levels (that is, up to six prisoners in cells measuring 22 $m^2$), poor hygiene conditions, dilapidated sanitary facilities with leaking water installations[26] and two minuscule, improvised and austere communal rooms of an oblique shape, measuring a mere 15 $m^2$, and which did not offer any amenity other than a table-football set.

31. Genoa Marassi Prison offered acceptable material conditions, albeit in need of better maintenance, in Pavilions 1 and 2, in which around 85% of the prison population was accommodated. The six-person cells were equipped with three sets of bunk beds, several stools and cupboard space. Access to natural light and artificial lighting was adequate, and ventilation and heating sufficient. Each cell had an adjoining small room for cooking and washing dishes and a fully partitioned sanitary annexe (with toilet and shower). The bedding was washed in the central laundry while individual clothing was washed in buckets. Furthermore, some cells in Pavilion VI were in a state of disrepair, with leaking and clogged water installations, and unsatisfactory hygiene due to irregular garbage removal and poor hygiene routines.

32. At Santa Maria Capua Vetere Prison, conditions varied considerably across the establishment. In the Nilo, Tamigi and Volturno Pavilions, cells and communal facilities offered satisfactory conditions of detention, the cells offered adequate living space (that is, four prisoners in multi-occupancy cells measuring 22 $m^2$), were luminous and well ventilated, adequately equipped and had fully partitioned sanitary facilities in a proper state of repair, and adequate hygiene conditions. Furthermore, communal rooms equipped with tables, cooking facilities, television sets and table games were also satisfactory.

25. Sections V and VI were under renovation at the time of the CPT visit and they would serve as a prototype for future refurbishments.

26. The leaking installations in this section caused the malfunction and subsequent decommissioning of the dental cabinet located just below (see paragraph 75).

However, on the unrenovated floor of the Tevere Pavilion the common shower facilities were displaying enormous patches of mould. The 35-cell two-storey Danubio Pavilion[27] accommodating 85 prisoners and located at the northern corner of the establishments, composed of four sections, offered the poorest conditions of detention in the entire establishment. In particular, the cells of the A-side accommodating inmates serving disciplinary and isolation measures were in a state of dilapidation (in terms of broken furniture, damaged sanitary facilities deprived of doors), and were poorly equipped (devoid of lockable space, thus forcing inmates to keep their belongings in plastic bags, with poor hygiene conditions, and inadequately ventilated in view of the high levels of humidity and the stench from the uncollected garbage from the outdoor facilities). The rest of the module (that is, the eight cells on the B side and 16 cells of the C and D sides) was slightly better hygienically, but conditions were cramped (with up to three prisoners in cells measuring 10 $m^2$). The prison management had sent six letters between January and June 2025 to the PRAP of the Region of Campania requesting action to reduce the occupancy rate in the module due to the number of inmates with psychiatric disorders, aggressive and anti-social behaviour, as well as other challenging profiles, who were putting security in the module at risk (see paragraph 93).

In the CPT's view, the conditions of detention at the Danubio Pavillion of Santa Maria Capua Vetere Prison may amount to inhuman and degrading due to the cumulative effect of the dilapidated state of the facility, inadequate hygiene, significant overcrowding, and frequent occurrences of inter-prisoner violence and intimidation.

33. **The CPT recommends that the Italian authorities invest greater efforts to maintain and repair the facilities in the prisons visited. Specifically, all cells should have adequate furniture for the number of inmates (including lockable cupboards) and effective window insulation, and urgent solutions to vermin infestations should be found and regularly repeated. Steps should also be taken to address the extensive mould in common washrooms, to repair all broken showerheads and leaking fixtures (especially at Foggia Prison), and to install doors on sanitary facilities to separate them from cooking areas.**

**The nighttime water supply at Avellino Prison should be urgently restored and the collection of garbage at Santa Maria Capua Vetere Prison should be promptly and definitively addressed. The CPT further recommends that functional laundry services be made available at all visited prisons in line with Article 9 of the R.P.**

**Regarding Florence Sollicciano Prison, the CPT considers that the structural deficiencies of the establishment and the lack of effective renovation over the years demand serious reflection on the sustainability of keeping it operational. The Committee therefore requests in this respect a cost-benefit analysis in relation to the situation of Florence Sollicciano Prison and its future sustainability, to be prepared by the Special Commissioner of the Prison Estate.**

34. Article 10 of the O.P. stipulates the statutory right of inmates to spend at least two hours per day in a courtyard for their somatic and psychological well-being. Further, Article 16, paragraph 2 of the R.P. also indicates that such facilities should be equipped with protection from inclement weather and in principle should not be "enclosed between other buildings" meaning that they should preferably consist of internal courtyards but provide more ample unobstructed horizontal view. Unfortunately, the courtyards of the prison establishments visited by the delegation had numerous shortcomings, ranging from the size and layout (tiny, in some cases measuring a mere 70 $m^2$ for an entire section of up to 47 prisoners such as at the *Giudiziario Vecchio* Pavilion of Foggia Prison), the absence of shelter against inclement weather, means of rest and exercise equipment, and the presence of large concrete boxes (Florence). Further, in some cases they were also found to be in pitiful conditions of hygiene. Consequently, it is not surprising that a substantial proportion of inmates with whom the delegation spoke declined to go outside on a regular basis.

27. The module comprised four corridors on two floors. A-side: 11 cells for the accommodation of prisoners under an isolation measure for disciplinary or security purposes. B-side: eight cells for prisoners under Article 32 of the R.P. for their own protection. C and D sides: eight cells each for justice collaborators, due to their incompatibility with the mainstream population.

By letter received on 12 December 2025 the DAP informed the Committee that all the necessary financial resources and technical support would be allocated to improve the outdoor areas in line with the CPT requirements.

35. **The CPT welcomes the DAP's commitment to improving the outdoor facilities and wishes to receive confirmation that the necessary measures have been taken to carry out the improvements.**

The CPT recalls that outdoor exercise facilities should be sufficiently large to allow prisoners to exert themselves physically (as opposed to pacing around in an enclosed space), less oppressive in design offering appropriate visual stimuli such as vegetation (as well as horizontal view) and be equipped with shelters against inclement weather, benches and basic fitness facilities (such as exercise bars, basketball hoops etc.). Furthermore, the sanitary facilities in the courtyard should be maintained in a proper state of repair and in hygienic condition. The garbage collection in the courtyard should be organised regularly and executed by the relevant maintenance staff.

### b. prison overcrowding and its pervasive effects

36. Prison overcrowding remains a concerning feature of the Italian prison system, with the national authorities seeking to remedy the situation through a multifaceted approach. The Italian authorities have espoused the so-called "Muršić doctrine" in assessing whether prisoners might be exposed to conditions raising a possible violation of Article 3 of the European Convention on Human Rights (ECHR) in terms of living space per prisoner.[28] Furthermore, the Italian Court of Cassation has issued additional guidelines regarding the measurement of living space per prisoner. These guidelines stipulate that the minimum space requirement of 3 $m^2$ per prisoner in multiple-occupancy cells should be calculated by deducting the floor space occupied by fixed furniture, such as bunk beds.[29]

37. According to the periodic statistical analysis of the NPM on 31 July 2025 (that is, one month before the CPT visit) out of 62 522 inmates at the national level, 15 451 (that is, nearly 25%) were being accommodated in cells where they were afforded between 3 and 4 $m^2$ of living space each. Consequently, approximately one quarter of the prison population was not in compliance with the standard advocated by the CPT and this number had increased by more than 10% since 2019.

Moreover, the regime of activities on offer to prisoners rarely consisted of eight hours of out-of-cell entitlement in purposeful activities, as envisaged by CPT standards. Furthermore, it is important to note that official data from the Italian Ministry of Justice shows that, in 2024, out of 11 440 complaints lodged by prisoners regarding a possible violation of Article 3 of the ECHR concerning conditions of detention under Article 35ter of the O.P., the relevant supervisory judges ruled in favour of the prisoners in 5 837 cases (51% of all cases), certifying the violation and granting compensation. This compensation was either in the form of a reduction in sentence or in pecuniary form.[30]

38. The direct empirical observations of the CPT in light of its monitoring methodology go beyond mere arithmetic calculation of living space and attempt instead to provide an empirical assessment of the conditions of detention and their effect on the human dignity of prisoners. This is achieved by considering a variety of aspects of life in prisons. The 31st General Report of the CPT on its activities provides a detailed exposition on the deleterious consequences of prison overcrowding, emphasising its role as a catalyst for violence among prisoners and between prisoners and staff. The Committee has also underscored the

28. See the judgment of the Grand Chamber of the Court in *Muršić v. Croatia* No. 7334/13 of 20 October 2016, paragraph 138. In this judgment, the European Court also established the notion of three mitigating factors which must be met cumulatively to avoid a possible violation of Article 3 of the Convention in respect of prisoners provided with less than 4 m2 of living space in multiple-occupancy cells. These mitigating factors are: 1) The length of time detainees are held in conditions of minimum personal space; 2) The provision of adequate out-of-cell entitlement and activities; and 3) The absence of other aggravating aspects of the conditions of detention.

29. See, for example, Sentence No 24997 of 25 June 2024 of the Italian Court of Cassation. This was in particular the criteria applied by supervisory judges when deciding upon complaints from prisoners pursuant to Article 35ter of the O.P.

30. The 2023 ratio was 4 731 asserted violations out of 9 574 (49%) complaints under Article 35ter of the O.P.

pervasive impact of overcrowding on public health, mental health, and overall well-being. The Italian prison system serves as a paradigmatic case, particularly in the context of its spillover effects on the quality of healthcare, treatment activities, the low morale of prison staff and educators, and their high turnover.

Furthermore, in its detailed paper of the standard of living space per prisoner in 2015,[31] the Committee enumerated a number of factors which must be taken into account when assessing detention conditions in prison, in addition to the mere measurement of living space. In this respect the CPT wishes to reiterate its long-standing advocacy for a minimum standard of 4 $m^2$ of living space per prisoner in cells designed for multiple occupancy (and higher, ideally). The CPT acknowledges the possibility of minor deviations from these standards, which must be compensatory.[32] The preventive approach of the CPT is predicated on the objective of averting situations which may give rise to violations of Article 3 of the ECHR. It is evident that the Italian authorities are on the cusp of subjecting prisoners to conditions which may be considered inhuman and degrading, due to their consistent failure to guarantee a minimum of 4 $m^2$ of living space per person in cells where there are multiple occupants. The CPT thus recommends that the minimum standard of 4 $m^2$ of living space per person be met.

39. **The CPT reiterates its recommendation that the Italian authorities take action to ensure that all persons in prison are each provided with at least 4 $m^2$ of living space in multiple-occupancy cells; the Italian authorities should nonetheless strive to comply with the national minimum standard set forth in its legislation.**

**Further, the CPT recommends that rigorous action is required to bring the prison population below the number of places actually available within the prison estate and to put an end to overcrowding. In this respect, emphasis should be placed on the full range of non-custodial measures capable of providing judicial supervision during the period preceding the imposition of a sentence, as well as on measures to accelerate a prisoner's release, including through supervisory means tailored, *inter alia* to the prisoner's personality and the nature of their sentence.[33]**

**The CPT would also like to be informed in detail on a quarterly basis of the ongoing projects to increase the capacity of the prison estate, as implemented in the context of the activities of the Special Commissioner on Prison Estate.**

### c. food and conditions of hygiene

40. Article 9 of the O.P. provides for the importance of provision of food in sufficient quantity and quality to prisoners in accordance with seasonal conditions, age, sex and status of health. The legislation also provides for the possibility to purchase food and prepare it inside the section (in the absence of refectories) in possible cooking areas inside the cell. The delegation was able to observe that prisoners had ample possibilities to cook their own food. However, some complaints were received from indigent prisoners, who relied on the food provided by the prison administration, about its poor quality and lack of variety.

**The CPT recommends that the Italian authorities take steps to improve the quality of food in the prisons visited, and to make efforts to ensure that a wide variety of foods should be made available in the right proportions to enable prisoners to maintain an adequately nutritious, sufficiently calorific and well-balanced diet, as well as to access plenty of fluids.**

31. See in this respect the CPT document CPT/Inf (2015) 44 under the title: "Living space per prisoner in prison establishments: CPT standard".

32. In other words, the CPT does not automatically hold the view that a minor deviation from its minimum standards may in itself be considered as amounting to inhuman and degrading treatment of the prisoner(s) concerned, as long as other alleviating factors can be found. Such factors may include the fact that inmates are able to spend a considerable amount of time each day outside their cells engaged in purposeful activities (work, education, sport, recreation).

33. See, for example, the *White Paper on Prison Overcrowding* *(op.cit.)*, Recommendation CM/Rec (2017) 3 on the European Rules on community sanctions and measures, Recommendation Rec (2003) 22 on conditional release (parole) and Recommendation Rec (2010) 1 on the Council of Europe Probation Rules.

41. In relation to hygiene, the delegation observed numerous instances of extremely poor conditions and vermin infestation in most sections of Sollicciano Prison, the Danube Module of Santa Maria Capua Vetere Prison and the VI Pavilion of Genoa Marassi Prison. These conditions can be attributed to a combination of factors, including the lack of inmates enforcing a specific cleaning routine, and of prison staff enforcing it, as well as the poor provision of cleaning products. Finally, the CPT delegation also received several complaints from inmates and prison staff regarding Santa Maria Capua Vetere Prison concerning the failure for protracted periods to collect prison garbage from the open depository, which was due to a dispute with the Municipality, resulting in a foul odour permeating the entire establishment, which was particularly pronounced during summer months.

**The CPT recommends that the Italian authorities ensure that all persons held in prison are provided with a minimum standard of living conditions, guaranteeing their dignity in terms of conditions of hygiene. To this end, steps should be taken to ensure that all persons in prison are provided with a regular supply of personal hygiene and cleaning products, in compliance with Article 6, paragraph 1 and Article 8 of the O.P. In particular, the Committee considers that prison management should enforce and instil in prisoners the culture of a cleaning routine both of cells and communal facilities as part of the tenets of dynamic security outlined in paragraph 70.**

**Further, the Committee would like to be informed about the situation of the garbage collection at Santa Maria Capua Vetere Prison.**

## 4. Regime

42. The treatment of prisoners in the Italian prison system is characterised by a mixture of a security (for remand prisoners) and rehabilitative (for sentenced ones) approach and, on this basis, after an initial period of observation, prisoners are assigned to one of the prison circuits (high, medium and low security) in which they serve their period of detention. At the outset of the visit, the delegation was informed of the intention of the Italian authorities to promote wider opportunities for work in prison by attracting external actors and investors, through a system of fiscal relaxation and an orientation towards zero recidivism (that is, *Legge Smuraglia*).[34] In addition, by Circular No. 3693/6143 adopted on 18 July 2022, the DAP had introduced an additional characterisation of medium security regime between a closed section regime (that is, eight hours of out-of-cell entitlement) and an intensified regime of activities with an entitlement of twelve hours out-of-cell time. Further, in the course of 2025, the DAP had adopted a number of circulars introducing some stringent aspects in the regime applicable to inmates under the high-security regime (see paragraph 52), and redefining the procedure for the approval of events promoted by external actors in a prison setting for prisoners subject to all types of regimes in those prison establishments where prisoners under the high-security circuit or the so called 41-bis regime are accommodated. These circulars have been the subject of criticism from members of civil society and other interested observers of the penitentiary system in light of their perceived discriminatory nature and the apparent promotion of exclusion of external actors.[35]

34. In its Action Plan for 2026 the Italian Ministry of Justice states as follows: *"The offer of employment by private enterprises and cooperatives represents a fundamental resource to increase the opportunities for the reintegration of convicts into society by offering skills that can be concretely used in the labour market. The DAP, therefore, promotes the involvement of private enterprises and social cooperatives in the realisation of productive activities or services, both inside and outside the institutions, for the benefit of deserving inmates."*

35. The circular in question, in the form of a note from the Director General for Treatment of the DAP No. 454011 of 21 October 2025, was later clarified that the DAP should grant a non-objection for the organisation of the above-mentioned event by external actors in prison establishments, with the final decision on the same being attributed to the competent supervisory judge.

### a. medium security

43. The regime in force in medium security sections visited at the time of the visit consisted of eight and up to 12 hours of out-of-cell entitlements per day, during which prisoners could in principle spend their time in a common room or in other activities of an educational, vocational or work related nature.[36] Further, the prisoners were also offered in principle four hours of outdoor exercise.[37] The classification of prisoners was provided by the multidisciplinary treatment board (*Gruppo di Osservazione e Trattamento* or G.O.T.), which draws up a summary report with a proposed individual treatment plan following a multi-disciplinary assessment of the detained person, and is subject to approval and review by the supervisory judge.[38]

44. At Avellino Prison, 162 prisoners were working under the authority of the DAP, notably in maintenance and core activities such as cleaning, gardening, food distribution, kitchen, laundry, canteen, as well as in a wood factory and in tailoring. A further 219 prisoners were attending one of the activities on offer in primary and secondary education (artistic high school and technical college) and a number of sports, cultural (theatre) events and religious liturgies. The new management, being aware of the potential for further activities, was actively negotiating cooperation agreements with external stakeholders for the offer of vocational courses (as pizzaiolo and ceramic workers) as well as the establishment of an orchard and an apiary with a honey production facility, within the perimeter of the establishment.

45. At Florence Sollicciano Prison, 130 prisoners were involved in work activities, notably in maintenance work (kitchen, plumbing and repair, food distribution etc.). Such positions were distributed on a rota basis. A further 103 had taken part in a course on security at work. The educational offer covered 149 prisoners and included literacy classes, lower secondary and secondary education, and distance university. Several workshops were on offer in theatre, music, and creative writing, and sports activities took place in the gym and sports field, but the majority of these were subject to interruption during the summer months. The establishment had an established cooperation and openness with external actors and civil society.

46. At Foggia Prison, 122 prisoners were working on a rota basis on maintenance tasks such as cleaning, laundry, food distribution, kitchen, repair and maintenance, orchard, barn work for egg production and assistance as a peer prisoner. Two classes of secondary education were on offer in cooperation with a local secondary school. The offer of activities was seriously hampered by overcrowding and the architectural limitations of the facility. For example, the church had been out of service for several years due to water ingress, and the theatre remained the only facility for association and for conducting cultural activities and other events organised with external actors. One football pitch was in use once a week for the entire prison population and constituted the main distraction from the daily routine.

47. At Genoa Marassi Prison, 130 prisoners were involved in a remunerated activity in generic tasks and maintenance works (cleaning, food distribution, small repairs etc.) and the prison establishment had a vibrant and dynamic focus on the promotion of vocational activities for the qualification of inmates in post-penal care, notably in construction work, graphics, woodwork and bicycle repair, in compliance with the "zero recidivism" approach elaborated by the National Council for Economy and Labour (CNEL). Educational activities were also well attended, with 180 prisoners attending one of the courses on offer and 25 attending university courses in cooperation with Genoa University. The offer of cultural (theatre, creative writing and restorative justice seminars), recreational (cinema projection) and sports activities (indoor football and volleyball) was also varied and well attended, and the establishment enjoyed good integration with the outside community and its civil society, with a clear focus on post-penal care.

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36. The daily routine in a medium-security ordinary regime section would be organised as follows: cell opening hours from 08:30 to 11:00, 12:00 to 15:30, 16:30 to 19:00 (or 20:00 during the summer period).
37. Pursuant to Article 11 of the O.P.
38. As stipulated in Article 13(4) of the O.P., the first drafting of the treatment programme must be completed within six months of the start of detention. The programme, as drawn up, must be approved by a decree of the supervisory judge. The magistrate may return the programme with observations and suggestions to make any necessary changes, if he finds elements that constitute a violation of the rights of the convicted person or prisoner (Article 69, paragraph 5 of the O.P.).

48. At Santa Maria Capua Vetere Prison, 203 prisoners were working in core maintenance activities such as cleaning, kitchen, men's hairdressing, storage, canteen and food distribution. The prison management had also recently initiated several tailoring workshops for ties, uniform and clothing in co-operation with two renowned fashion designers, as well as a pastry workshop. Such activities also had vocational value and were appreciated by prisoners. The offer of educational activities was also diverse (that is, literacy, lower secondary, and technical college education). The establishment possessed a well-stocked library, a spacious church and various sporting facilities. The prison management was also negotiating cooperation agreements with several external stakeholders for the expansion of the offer of educational, cultural, and recreational activities.

49. **The CPT recommends that the Italian authorities intensify their efforts in developing the range of programmes on offer to prisoners to provide them with a structured day of activities at Foggia Prison, notably in light of the commendable policy announced by the DAP to promote additional working activities (including during the summer) provided by external investors within prison establishments, and taking into consideration the tenets of the so called *Legge Smuraglia* and its zero-recidivism approach.**

**The CPT would like to be informed of the practical effects of the recent Circulars adopted by the DAP in relation to the more stringent authorisation of access of external actors to prison establishments where high-security sections exist, and notably whether this reduces opportunities for prisoners under the medium-security regime.**

50. In previous reports, the CPT has emphasised the pivotal role that prison personnel, including educators (*funzionari giuridici pedagogici*) and custodial staff, can play in the provision of purposeful activities to prisoners. In this respect, the Committee observed that, in the aftermath of the recent competitions for the recruitment and deployment of 214 *funzionari giuridico-pedagogici*, there had been an increase in the number of educators, and was favourably impressed by their commitment to assuming a more prominent role in the provision of treatment activities of a genuinely rehabilitative nature for prisoners.[39] However, the Committee also observed a significant degree of frustration among treatment staff due to the overcrowding, which resulted in those staff being responsible for twice as many prisoners as usual.[40] The consequent overload led to delays, particularly in the compilation of six-month assessment reports for supervisory judges, which are fundamental for the consideration of alternative sanctions. Furthermore, the overcrowding resulted in the conversion of local spaces into detention facilities, thereby reducing the availability of space for activities. This situation was particularly present at Foggia and Avellino Prisons**.**

**In light of the serious situation of overcrowding described in paragraph 39 above and the efforts to tackle it, the CPT recommends that, the number of educators at Foggia and Avellino Prisons be sufficiently reinforced to allow them to adapt their interventions to the number of prisoners in the establishments.**

### b. high-security

51. During the visit the delegation visited two modules accommodating prisoners under the high-security prison circuit, in Santa Maria Capua Vetere (Tamigi Module, accommodating 182 prisoners) and Genoa Marassi Prisons (V Module, accommodating 56 prisoners) both belonging to the AS3 (*Alta*

39. See in this respect also the DAP Circular No. 0435332U of 13 October 2025 on critical events, which advocates for a more proactive presence of educators in detention units in order to ensure prompter processing of the administrative requests of prisoners, with the purpose of preventing critical events.

40. For instance, at Foggia Prison during the visit, there was a staffing component of seven educators (including a Head of Treatment who was soon to retire) for 11 budgeted posts. These educators were responsible for 671 prisoners, in contrast to the 302 foreseen in light of the prison capacity.

*Sicurezza 3*) sub-circuit.[41] Prisoners subject to the AS3 regime were being offered an eight-hour out-of-cell entitlement, which they could spend in a communal area (equipped with table tennis sets, tables, chairs, TV sets and cooking facilities), or in a courtyard for up to four hours. Further, activities of vocational, educational, and employment nature were also provided to inmates on a basis equal to medium-security prisoners, while still maintaining their separation from the rest of the regime categories (circuits).

52. In this respect, the recent adoption of a series of circulars by the DAP aimed at introducing a homogenous regime in high-security sections all across the country is of significance. The objective of these measures is to eliminate variations and imbalances of the management of high-security modules nationwide. They stipulate that during the period of eight hours of out-of-cell entitlement, high-security inmates should remain in closed conditions, either in a communal room or involved in treatment activities, and that cells should always remain closed in order to preserve the specific nature of the high-security circuit and its specific purpose. In its 2026 programme document, the Ministry of Justice (*Ministero della Giustizia, Atto d'Indirizzo Politico Istituzionale per il 2026*) stated its intention to rationalise the circuits and special detention regimes according to the degree of risk posed by the inmates of the prisoners, and to envisage a requalification of the prison establishments in order to ensure the separation of those subject to the high-security and so called "41-bis regime" by allocating them to exclusively dedicated institutes, or to special sections logistically separated from the rest of the population and supervised by specialised corps of the penitentiary police.[42]

53. The CPT acknowledges that in every country there will be a certain number of prisoners considered to present a particularly high security risk and hence require special conditions of detention. The perceived high-security risk of such prisoners may result from the nature of the offences they have committed, the manner in which they react to the constraints of life in prison, or their psychological/psycho-social profile. This group of prisoners will (or at least should, if the classification system is operating satisfactorily) represent a very small proportion of the overall prison population. However, it is a group that is of particular interest to the CPT. In this respect, the recent Circulars issued by the DAP, as well as the programmatic announcement of the Ministry of Justice to promote a rationalisation of the high-security and "41-bis" circuits, bear the risk of introducing a particular rigidity of the regime on offer to prisoners accommodated in high-security sections, which appears to be justified more by the specific requests of the investigative authorities than by the clear, individual, multi-disciplinary and objective observations of prison staff.

**The CPT recommends that the DAP, in the context of the implementation of the 2025 Circulars on the revision of the modalities of life and regime in high-security sections, refrain from a collective approach and instead carefully reviews and applies corrective measures based on an individual risk assessment in accordance with the principle of proportionality, and taking into due consideration the content of the treatment plan of the prisoner concerned in communication with the relevant supervisory judges.**

## 5. Restrictive measures and separated regimes

54. The Italian prison system is designed to ensure the effective management of specific prisoner profiles by establishing dedicated circuits within prisons and by preventing any form of discrimination or negative differentiation. In the July 2022 DAP Circular on medium security modules (see paragraph 42), the issue of ensuring the separation of inmates, for reasons related to order, security, and other concerns, from the mainstream population was also addressed. The importance of maintaining a truly rehabilitative path rather than the marginalisation of those more vulnerable was emphasised. During the 2025 visit, the CPT

41. Inmates are placed in high-security one (AS1) if the "41-bis" regime has been revoked; high-security two (AS2) if they are suspected or convicted of crimes related to international terrorism or the destabilisation of the democratic order; high-security three (AS3) if they are suspected or convicted of organised crime, kidnapping, extortion or drug trafficking. At the time of the visit, there were approximately 9 425 persons serving sentences under this regime, many of whom are serving long sentences of over 10 years.

42. During the visit, the CPT delegation was informed that several anti-mafia prosecutors had requested a more consistent and standardised approach and treatment of inmates under the high-security and '41-bis' regime. This request was made due to perceived imbalances in the enforcement of detention regulations, which had led to the resumption of illicit activities and links between prisoners and their respective criminal gangs.

delegation focused on prisoners separated from the general population under Article 32 of the R.P. (primarily for reasons of their own protection or incompatibility with the mainstream population), as well as those subject to other forms of isolation, such as special surveillance under Article 14bis of the O.P. and court-imposed solitary confinement for lifers (*isolamento diurno*), as outlined in Article 72 of the Criminal Code.

### a. separation measures (Article 32 of the RP)

55. Pursuant to Article 32 of the R.P. prisoners under the medium security regime may be accommodated in dedicated sections in view of their own protection or incompatibility with the rest of the mainstream population, as well as those separated on the basis of order and security (particularly actors in the context of critical events). Each of the five prison establishments visited possessed a so-called "Article 32 Module" (that is, Danubio Module at Santa Maria Capua Vetere Prison accommodating 68 prisoners, *Protetti* Module at Avellino Prison accommodating 28 prisoners, three dedicated Modules at *Nuovo Padiglione* of Foggia Prison accommodating 96 prisoners,[43] Modules No. III and IV at Florence Sollicciano Prison accommodating 68 prisoners and VI Module of Genoa Marassi Prison, holding 23 prisoners at the time of the visit).

56. As mentioned in paragraphs 30-34, material conditions in the so-called Article 32 Modules were, in principle, analogous to the rest of the establishment in terms of cramped conditions and structural deficiencies (for example, at Florence Sollicciano Prison) but were in fact in a worse state of repair and hygiene. For example, the so-called "sex offender" Module of Foggia Prison and the *Protetti* Module of Avellino Prison were found to be in a state of severe disrepair and neglect (see paragraphs 30 and 32). This was due to their improvised and deficient layout, sense of abandonment, absence of any treatment activities and frequent inter-prisoner violence (see paragraph 21).

57. In terms of placement, inmates received a reasoned decision on their placement based on an assessment of the treatment board (G.O.T.). This decision was forwarded by the prison director to the relevant PRAP and was subject to a six-month review.[44] The only avenue available to the prisoner to challenge such a decision was to lodge a complaint to the supervisory judge. In regard to the regime of activities, inmates accommodated in "Article 32 Modules" were granted the same out-of-cell entitlement as medium-security prisoners (that is, up to eight hours) with the exception of Florence Sollicciano and Genoa Marassi Prisons, where the only out-of-cell entitlement consisted of access to outdoor exercise for four hours a day. However, they were not offered any specific treatment activities, with the exception of remunerated work in maintenance tasks (that is, cleaning, food distribution) in the unit on a rota basis.

Educators told the delegation that the variegated and vulnerable profile, in addition to the overcrowding and limited space, did not provide for the possibility of organising tailored activities for this specific group of inmates. The prevailing sense of abandonment, enforced idleness, and warehouse-like conditions observed in these modules was, as would be expected, at the origin of the situation of those individual prisoners flagged by the delegation at the end of the visit, as referenced in paragraph 26.

58. The situation at the Danubio Module of Santa Maria Capua Vetere Prison, accommodating 87 prisoners in 35 cells (measuring 11 $m^2$) was of particular concern for the delegation as well as for prison management and the competent supervisory judges. The Danube Module, in addition to showing serious signs of dilapidation, had been operating over the last two years over its maximum capacity, hosting the most challenging group of the prison population within the Region of Campania, including protected witnesses, inmates with mental disorders released from the ATSM, and prisoners with various incompatibilities with the rest of the population. No practical activities were offered to these prisoners, with the exception of access to outdoor exercise in a tiny courtyard.

43. As well as the additional 27 prisoners accommodated in the so-called sex offender section or *"Nuova Infermeria"*.
44. The competent supervisory judge was also informed, pursuant to Article 69 of the O.P.

By letter received on 12 December 2025, the Italian authorities… informed the CPT that the Danubio Module of Santa Maria Capua Vetere Prison had been included in the programme for extraordinary maintenance interventions, of the Special Commissioner for Prison Estate. Meanwhile, the PRAP of the Region of Campania has been instructed by the DAP to carry out maintenance interventions in the cells (plaster works, painting, arrangement of some bathroom premises with replacement of sanitary fixtures and partial replacement of floors and coverings) in order to ensure the continued operation of the module.

59. **The CPT reiterates its recommendation that the Italian authorities introduce a programme of individually tailored activities overseen by a multi-disciplinary team for all persons subject to a separation measure under Article 32 of the R.P.. These activities should be an integral part of the sentence plan to assist the prisoners' transition out of the segregation unit and back into ordinary accommodation units, as well as part of their preparation for reintegrating into the community.**

**The Committee considers that this predicament should be prioritised by the DAP, given that prisoners accommodated in so-called Article 32 sections represent the most vulnerable group in the entire prison system. This is particularly salient given their intersectional vulnerabilities and heterogeneous composition, as well as their challenging behaviour, exacerbated by frequent transfers. The situation of the Danube Module of Santa Maria Capua Vetere Prison, and the repeated pleas from prison management to the PRAP of the Region of Campania for redress in terms of its high occupancy rate and poor material conditions, are a poignant illustration of the above-mentioned observations.**

### b. special surveillance (*sorveglianza particolare*) Article 14-bis of the O.P.

60. During the 2025 ad hoc visit, the CPT delegation examined once again the situation of prisoners subject to solitary confinement for security reasons (special surveillance or *sorveglianza particolare*) for periods of up to six months and renewable, pursuant to Article 14bis of the O.P. In this respect, the delegation examined the situation of several prisoners at Santa Maria Capua Vetere, Avellino and Foggia Prisons who had been detained for serious disturbances to the order of the establishment (for example the possession of mobile phones and suspicion of conducting illicit activities with criminal gangs operating outside). The inmates had been placed in accordance with a reasoned order of the DAP, which had been communicated to the relevant supervisory judge. Furthermore, the decree and the modalities of the implementation of the measure had to be discussed by a reinforced disciplinary committee (integrated with psychologists as experts under Article 80 of O.P.).

In practice, the inmates were accommodated in an isolation cell of the relevant disciplinary unit, which was devoid of furniture with the exception of a bed, stool and table, and a portable radio, and possessed a fully partitioned sanitary annex. The prisoners were not permitted to communicate with other inmates, participate in educational or vocational courses, and were only offered two hours of outdoor exercise in a dedicated courtyard. In practice, their days were spent listening to the radio and reading, and they were particularly adversely affected by the absence of television. In addition, the subjects received intermittent visits from an educator, and the monitoring of their healthcare status was not systematically enforced on a daily basis.

The CPT acknowledges that the regime of special surveillance is infrequently applied and that it is surrounded by adequate legal safeguards. Nevertheless, the Committee has serious misgivings regarding its practical implementation, notably the lack of social contact and the harsh restrictions imposed on inmates (specifically, no TV, no treatment activities, etc.) and the lack of proactive and regular psychological support. Moreover, the potentially indefinite duration of such a measure means that these inmates may be subjected to prolonged periods of solitary confinement.

61. **Given the potentially harmful effects of solitary confinement, the CPT calls upon the Italian authorities take the necessary steps to ensure that prisoners subject to solitary confinement under the so-called "14-bis" regime:**

- **benefit from a structured programme of purposeful, and preferably out-of-cell, activities;**
- **are provided – on a daily basis – with meaningful human contact. The aim should be that they benefit from such contact for at least two hours every day, and preferably more.**

**The longer the separation measure continues, the more resources should be made available to attempt to (re)integrate the prisoner into the main prison community**

### c. court imposed solitary confinement for lifers (*isolamento diurno*)

62. The CPT has repeatedly expressed concerns that a criminal court, in accordance with the provisions of Article 72 of the CC, may order a prisoner convicted of multiple crimes punishable by life imprisonment to serve part of their sentence in solitary confinement *(isolamento diurno*) for periods ranging from two months to three years. Individuals subject to the *isolamento diurno* measure are permitted one hour of outdoor exercise per day, with no possibility of social interaction with other inmates. Visits from educators and psychologists are available upon request.
During the 2025 ad hoc visit to Italy the delegation met with one prisoner who had been serving such a measure since October 2024 for a period of 18 months, which had been imposed on him by the Lecce Tribunal. In accordance with the relevant Service Order of the Prison Director, the inmate was accommodated in an ordinary cell of the isolation module of Foggia Prison measuring 11 $m^2$ and equipped with a bed, table, stool, TV set and personal locking space, and a fully partitioned sanitary annex. The inmate was offered two hours of outdoor exercise per day in the dedicated courtyard and was not offered any other treatment activities, and his health status was being monitored on a daily basis by a member of the healthcare staff.

63. The CPT recalls once again the generally accepted principle that imprisonment is a punishment in its own right, and that potentially harmful aggravations of a prison sentence as part of the punishment are not acceptable. Given the potentially harmful effects of long-term isolation for the prisoners concerned, the principle of proportionality requires that any solitary confinement-type regime is only imposed on the basis of an individual risk assessment, and only for the shortest possible time. The prolonged and punitive measure of "*isolamento diurno"* is, in the CPT's view, an anachronistic measure which does not have any penological justification and hence should be abolished.[45]

**The CPT calls upon the Italian authorities to abolish without further delay the measure of court-imposed solitary confinement under Article 72 of the Criminal Code known as "*isolamento diurno*".**

## 6. Prison staff

64. The 2025 ad hoc visit provided an opportunity to evaluate the staffing complements, working conditions, training and capability of prison staff to cope with the multifaceted challenges they face. The delegation was also aware that in some difficult contexts, such as at Florence Sollicciano Prison, prison staff were subject to extreme pressure and stress, notably also in light of critical events such as violence, suicide, prison riots and a dilapidated prison infrastructure.

45. In paragraph 77 of the 25th annual report on its activities (CPT/Inf (2016) 10), the CPT has stressed that *"the imposition of the detention regime of life-sentenced prisoners should lie with the prison authorities and always be based on an individual assessment of the prisoner's situation, and not be the automatic result of the type of sentence imposed (that is, the sentencing judge should not determine the regime)*".

### a. staff components and presence

65. At the outset of the visit, the delegation had been informed by the DAP about the recent recruitment and deployment of 2 568 custodial officers (including 642 women) raising the number of penitentiary police to 31 046 (out of 34 149 posts). This represents a ratio of 2.04 prisoners to each custodial staff member. Such a ratio had regional imbalances with, for example, 18% of positions vacant in the Lazio Region while only 1% were vacant in the Region of Sicily. At the time of the visit, the staffing complements at the five establishments visited were as follows:

- At Avellino Prison, the custodial staff component had recently been reinforced following an escape that had taken place in July 2025 and other critical events and consisted of 254 prison staff (for 298 budgeted positions) responsible for the supervision of 551 inmates.

- At Florence Sollicciano Prison, there were 416 custodial officers (out of 459 budgeted posts) for the supervision of 574 inmates. The examination of the critical events showed that due to the conflict-prone nature of some sections, an increase of the component and presence in those sections would have benefited the security of inmates and the overall climate in the establishment, which was already exacerbated by the disastrous material conditions.

At Foggia Prison, the second most overcrowded prison in the country, the staffing component of 244 custodial staff (out of 275 posts) was designed for an official capacity of 302 places in lieu of the 671 accommodated at the time of the visit. As the establishment was operating at 222% of occupancy rate, custodial staff members responsible for the sections in the *Vecchio Giudiziario* were in some cases in charge of 140 inmates during one shift.

- At Genoa Marassi Prison, the staffing component consisted of 336 prison officers (out of 352 budgeted posts), who were responsible for the supervision of 683 inmates.

- At Santa Maria Capua Vetere Prison, 61 staff members had been suspended and relocated due to the ongoing criminal proceedings related to the events of 2020 (see paragraph 15). Consequently, the staffing component consisted of 450 custodial officers for a population of 1 038 inmates.

66. **The CPT recommends that the vacant positions of prison staff at all prisons visited be filled and their complements reinforced at Santa Maria Capua Vetere and Foggia Prisons in order to reflect the contingent emergencies faced by the two establishments due to the proportion of staff facing legal proceedings (at Santa Maria Capua Vetere Prison) and the high occupancy levels (at Foggia Prison).**

67. The Committee takes positive note of the competitions and recruitment of educators and prison managers since its last visit in 2022, as well as the deployment of numerous experts pursuant to Article 80 of the O.P., who were providing valuable input to the treatment board. Further, the Committee also notes that several prison directors had been deployed and were effectively performing managing functions following the competition organised at the level of the DAP in 2022.[46]

### b. dynamic security and management of critical events

68. The CPT has been highlighting since 2016 in its reports to Italy that the concept of dynamic security is incorrectly applied in the Italian prison system. In the CPT view, and as set out in the European Prison Rules, dynamic security means *in primis* a working method whereby prison staff prioritise the creation and maintenance of everyday communication and interaction with prisoners on principles of professional ethics. Through regularly interacting with prisoners, understanding their behaviour, risks and needs, staff will be better placed to use this knowledge to anticipate, prevent and de-escalate incidents. The key elements are staff presence, communication and observation. Dynamic security is complementary to static security and the rules and formal processes governing a prison. Such an approach contributes to the effective rehabilitation and preparation for release of those involved.

46. The last competition of this kind had taken place in 1997.

In the CPT's experience, those prison systems which have incorporated a dynamic security approach experience a decrease in the impact of critical events such as violence, intimidation, aggression against staff, self-harm and psychological distress. Further, custodial staff experience benefits in terms of recognition of their work and input as service providers of prisoners' well-being as well as collectors of qualitative intelligence information.

69. Despite the clear commitment and constructive working culture of custodial personnel, the findings of the 2025 visit revealed that Italian prisons continue to lack a functioning dynamic security approach. This was not only visible in the context of the serious and tragic events of inter-prisoner violence and prison riots described in paragraph 19 but also more generally on the observations made in the prisons visited and from the delegation's interviews with prison staff. Staff appeared to associate dynamic security with offering incentives or privileges to inmates, considering them a reward for good behaviour rather than an operational approach, as described above, for preventing incidents and maintaining order. Staff explained that they had not received specific training about proactive communication, trust-building and daily engagement with prisoners as a means to reduce tension and improve safety.

In this respect, the Committee takes note of the DAP Circular of 13 October 2025, which stresses the importance of ensuring a stronger presence of custodial staff and educators within the accommodation areas of prisons, to ensure more effective dialogue and interaction with prisoners, rather than a passive approach whereby staff remain in their offices outside the wings and only react to incidents.

70. **The CPT reiterates its recommendation that the Italian authorities take steps to introduce a dynamic security approach within prisons in line with the notion set out in Rule No. 51 of the European Prison Rules.[47] This approach should be embedded in the DAP's training strategy and programmatic documents, as well as associated with prison intelligence in the context of collecting, analysing, and using information about potential risks.**

Of course, this will necessitate prison staff being more present within the sections. Further, such an approach will depend to a great extent on the allocation of sufficient resources in staff possessing and making use of interpersonal communication skills, the development of specific training and the adoption of appropriate retention measures that generate greater staff stability. In parallel, the number of persons accommodated on each wing/section should be reduced to the design capacity, to enhance security and control and enable more activities to be provided.

### c. training activities and staff support measures

71. At the outset of the visit, and in particular in the letter dated 12 December 2025, the DAP provided extensive information to the CPT about the training modules which form part of the mandatory induction and in-service training of prison staff. The training is designed to equip personnel with the knowledge and skills to protect human rights, de-escalate critical situations, and manage prisoners experiencing psychological and psychiatric distress. Further, the new prison handbook training kit, which was introduced since 2023 as part of the mandatory and initial training activities of prison staff, contains modules on the management of critical events. The examination of the training kit modules revealed a clear sequence of operational steps to be adopted at the level of prison officer, supervisor and commander in relation to critical events. These events included self-harm, barricading, hostage taking, natural death, suicide, hunger strike, bomb threat and attempted escape. It is noteworthy that, by the conclusion of 2025, a total of 1 440 prison officers of all ranks had received training in the aforementioned modules.

72. **The CPT takes note of the training modules introduced by the DAP in 2023 on the management of critical events. In light of the observations related to the 2025 ad hoc visit, the CPT would like to receive information on the roll out of training activities for prison custodial staff on manual control techniques of prisoners, as well as on the training activities on offer to members of the prison intervention groups such as G.I.R. and G.I.O (see paragraph 17).**

47. See in this respect the United Nations Office on Drugs and Crime (UNODC) publication under the title "Handbook on Dynamic Security and Prison Intelligence". :

# 7. Healthcare services

73. One of the primary objectives of the 2025 ad hoc visit to Italy was to assess the quality of healthcare provided to prisoners based on the previous CPT recommendations and focussing on regional disparities and variations in performance among the relevant regional healthcare authorities (*Azienda Sanitaria Locale* or ASL). Since the transfer of responsibility for prison healthcare in 2008, ASLs have been responsible for overseeing this area as part of the national healthcare system. Further, the State-Region Unified Conference certified the accreditation and requirements of healthcare units in prison establishments in 2015 with a view to promoting equivalence of care and "minimum levels of assistance" for prisoners. In May 2025, the same Unified Conference established a monitoring body for the assessment of the quality of healthcare provided to prisoners. In addition, the preliminary observations of the CPT delegation have identified significant regional disparities in the quality of healthcare provided to prisoners noting particular deficiencies in the regions of Campania and Puglia.

The Italian authorities informed the Committee in a letter dated 12 December 2025, that the Unified Conference had discussed the CPT preliminary observations and would address the problematic regional imbalances in the provision of prison healthcare, notably by the ASLs of the regions of Campania and Puglia.

**The CPT would like to receive the first assessment of the monitoring body on the evaluation of the quality of healthcare provision established by the State-Region Unified Conference, along with its recommendations in view of removing the imbalances observed in the course of the 2025 ad hoc visit. In this respect, the Committee trusts that the recommendations outlined in this report will be transmitted to the attention of the monitoring body in view of promoting their follow-up and implementation.**

## a. healthcare facilities and staffing

74. At Florence Sollicciano and Genoa Marassi Prison (SAI) there was an excellent provision of modern equipment and the healthcare facilities were spacious and in very good conditions of hygiene.[48] Further, the staffing levels of both establishments were very good, there was appropriate governance of healthcare and clinical directives, multi-disciplinary review and the relevant ASLs were providing induction and regular training to staff on a variety of issues.

48. At Sollicciano Prison the total number of healthcare staff members amounted to 98, in addition to visiting specialists. The team comprised 20 GPs, one medical director and a head of the complex operational unit. Seven doctors were on duty in the morning shift, two in the afternoon and night shifts, and during holidays. A comprehensive component of specialists visited the establishment according to a weekly and/or monthly schedule. Nursing and support staff consisted of over 40 nurses, as well as one healthcare assistant (*operatori socio-sanitari* or OSS) and one ASO (*assistente di studio odontoiatrico* or dental chair assistant). Psychiatric services were being provided by six psychiatrists, on duty from Monday to Saturday. Psychiatric rehabilitation technicians were also on duty from Monday to Saturday.
At Genoa Marassi Prison the SAI was organised into three floors: one for psychiatric patients, one for HIV positive inmates and one for all organic pathologies. In addition, there were three rooms designated for the ATSM unit and two rooms for 41bis inmates, giving a total of 65 beds at the SAI. Each of the six pavilions is also assigned a referring doctor who acts as the general practitioner for that section (24 hours per week). The doctor is responsible for conducting periodic medical examinations, prescribing instrumental investigations and specialist examinations. The SAI possesses its own referring doctor, and the dedicated nursing staff and OSS staff are on duty 24 hours a day. The SAI provided periodic intramural services in the following specialities: cardiology, neurology, surgery, orthopaedics, urology, dermatology, diabetology, physiotherapy, ophthalmology and dentistry. The SAI was also staffed by two psychiatrists and three psychologists, who work 38 hours per week, who provided consultancy services at the request of the doctors of the various sections, as well as supervising inmates admitted to the first floor of the SAI.

75. The situation in relation to the healthcare facilities and staffing found at Santa Maria Capua Vetere, Avellino and Foggia Prison was less favourable, and in particular:

- At Santa Maria Capua Vetere Prison the healthcare component consisted of a pool of 22 rotating doctors, ensuring a round-the-clock presence of at least one medical doctor (and at times two), one FTE psychiatrist and two part-time psychiatrists (12 hours per week), 21 nurses (including one part-time nurse), eight orderlies and five psychologists, as well as a pool of specialists attending the establishment. Due to a shortage of staff, the satellite medical examination rooms in each pavilion were not in use. This resulted in prisoners having to be escorted to the main infirmary by prison staff, which was a source of discontent for the penitentiary police (see also paragraph 78). The central healthcare facility at Santa Maria Capua Vetere Prison was in need of repainting, and some emergency equipment required upgrading.[49] During the summer, there had been periods of no nursing coverage, with only telemedicine service on call, due to staffing shortages.[50]

- At Avellino Prison the healthcare staffing component comprised five contracted GPs, ensuring a consistent presence of 96 hours per month. The arrangement involved two GPs on duty during the morning shift and one during the afternoon shift, ensuring a reliable and predictable staffing arrangement. The component was composed by the most junior doctors on the ASL ranking lists, which compromised its stability.[51] The complement also included 13 nurses (out of 19 budgeted posts: two to three per shift in the morning and afternoon, and two during the night) and 13 orderlies. In addition, a psychiatrist was scheduled to visit on a monthly basis. A specialist component visited on a monthly basis, with the exception of the dermatologist and endocrinologist, whose visits had ceased. Dental care was only provided as a preliminary consultation, and no interventions were permitted due to the non-functional status of the dental equipment. The healthcare facility at Avellino Prison exhibited numerous deficiencies, including peeling paint, mould, malfunctioning dental equipment, unhygienic staff facilities, and an inability to perform and read ECG results.[52] In addition, the six rooms designated for patient accommodation were found to be in a state of serious disrepair and presented significant hygiene concerns, as evidenced by torn mattresses, scraped walls and non-functional showers.

- At Foggia Prison the staffing component comprised four GPs, ensuring round-the-clock coverage, one psychiatrist present 12 hours per week on site, 15 nurses (five in the morning shift, three in the afternoon shift and one at night) and six orderlies. A team of five part-time psychologists was also assisting with the admission screening of inmates.[53] The team consisted of one radiographer working 36 hours per week, one radiologist working three days per week, and several part-time specialists in respiratory, ENT, infectious diseases, and cardiology. The team was further supported by dentists, who are scheduled to visit twice per week for 2.5 to 3 hours per week. The infirmary was found to have a chaotic and non-functional layout, which was not conducive to maintaining confidentiality (see paragraph 82). The dental cabinet was also out of service due to a leaking ceiling in the sex offender module (see paragraph 30). Furthermore, with regard to equipment, the CPR trolley located in the infirmary was being used for chronic medication rather than for resuscitation, as intended. In addition, it was discovered that two defibrillators were equipped with expired pads.

49. Autoclaved packing lacked a clear date of when the instruments were autoclaved and sterilised.
50. During summer shortages, nurses on leave were not replaced, and officers had to rely on remote nurse consultation.
51. The current practice foresaw that the local ASL assigns to prison healthcare the most junior or lowest-ranked doctors from the ASL roster.
52. An ECG machine was available and functional but unused as local protocol dictates that prison doctors should not interpret it as only a cardiologist may sign off the ECG result.
53. Notably in relation to screening new arrivals for their suicide risk as well as other vulnerabilities.

76. **Following the review of the relevant healthcare facilities and staffing components at Avellino, Foggia and Santa Maria Capua Vetere Prisons by the relevant ASLs, the CPT recommends that, at:**

- **Avellino Prison junior doctors should receive the necessary guidance and support from senior medical staff to ensure that healthcare for prisoners is of an equivalent standard to that provided in the community, and the complement of visiting specialists should be increased, notably in dermatology and endocrinology. Further, in order to attract and retain skilled doctors, incentives such as loyalty bonuses or salary supplements for continuity in prison assignments should be considered. The conditions in the *Infermeria* and clinic environment should be remedied, including through mould removal, repainting, repairing broken flooring, and replacing worn mattresses in on-call rooms for staff, as well as repairing the dental chair.**

- **Foggia Prison mental healthcare should be reinforced though a psychiatric provision of an additional 12 hours per week and restoring the functionality of the dental cabinet by repairing the leaking ceiling. Each prison block must be equipped with a stocked CPR trolley and functional AED with valid pads. Sessional cover for ophthalmology, dermatology, dentistry, and physiotherapy specialists must be secured.**

- **Santa Maria Capua Vetere Prison uninterrupted 24/7 nursing coverage, including during periods of staff leave, should be guaranteed. Escort staffing should be improved to ensure the timely transfer of prisoners requiring external specialist or emergency care. All ward clinics allowed by staffing levels should be reopened, to reduce the escort burden. Further, the autoclaved packing requires a clear date indicating when the instruments were last autoclaved and sterilised.**

**Finally the Committee wishes to refer to its recently adopted standards on prison healthcare and notably the section on professional competence of prison healthcare staff.** [54]

### b. access to healthcare

77. At Florence Sollicciano and Genoa Marassi Prisons, prisoners' access to a doctor was ensured through requests addressed directly to nurses visiting the sections at Florence Sollicciano Prison, and at the respective satellite infirmary located in each pavilion at Genoa Marassi Prison, where a GP would be present on a daily basis. At Santa Maria Capua Vetere and Foggia Prisons requests to see a doctor were addressed by inmates to a nurse and were subject to delays due to the less robust healthcare staff component. At Avellino Prison, such requests were addressed by prisoners directly to custodial staff. Although there were no complaints of filtering, inmates raised concerns about extensive delays in medical assistance and dental care. Furthermore, the majority of complaints lodged by prisoners to the relevant supervisory judges at Santa Maria Capua Vetere, Avellino and Foggia Prisons pertained to delays in access and to provision of substandard healthcare.

**The CPT recommends that steps be taken at the prison establishments visited, as well as at all other Italian prisons, to enable prisoners to contact the healthcare service on a confidential basis, for example, by means of dedicated boxes or via a digital request system exclusively managed by healthcare staff.**

54 Paragraphs 132 of the CPT's standards in prison health care CPT/Inf (2025) 37 read as follows: "*A high level of professional competence of doctors, nurses and other healthcare professionals is needed to meet the numerous medical and ethical challenges when providing healthcare to prisons.* Paragraph 133 states that: " *In particular, all healthcare professionals should receive initial and continuous training on prevailing health disorders, the frequency and epidemiology of illnesses, and on any other healthcare-related needs of prisoners. This includes primary healthcare and safe prescribing as well as professional competence in relation to mental disorders, substance use disorders, self-harm and suicide transmissible diseases, emergency care, elaborating preventive measures and preparedness plans for pandemics.*"

78. In terms of transfer of prisoners and escort to hospitals, this did not appear to be problematic at Florence Sollicciano and Genoa Prisons (notably in light of an established cooperation with hospitals and the location of the prisons in large urban centres). However, numerous complaints were received from prisoners at Santa Maria Capua Vetere, Foggia and Avellino Prisons regarding cancelled hospital appointments, primarily for diagnostic and specialist examinations, due to a shortage of escorting staff. At Santa Maria Capua Vetere Prisons in particular, allegations were made by members of the prison staff trade unions that inmates were abusing the hospital escorting system to arrange meetings with their parents and acquaintances with whom they were engaged in illicit activities.

The DAP issued Circular No. 0435332 U on 13 October 2025, with the aim of restricting the phenomenon of "hospital shuttling" of inmates and requesting that prison medical staff only execute those with "*clear clinical indications and of a non-deferrable nature*". In response to the NPM's remarks regarding the possibility of interference by prison management in medical decisions, the DAP Director clarified the reasoning behind the Circular, emphasising that stricter oversight in approving hospital transfers of inmates would not necessarily constitute interference in the duties and assessments of healthcare professionals and would ultimately guarantee a greater level of conscientiousness in the provision of medical assistance.[55]

79. The CPT considers that, irrespective of any potential legitimate security-related concerns, there is no justification for senior prison managers to interfere in decisions by medical staff regarding the emergency transfer of prisoners to hospital. In this context, and based on a strict and individual risk assessment, prison escorting staff may well undertake the necessary preventive measures to ensure that escorted prisoners receive the necessary treatment under secure conditions in a hospital setting.

**The CPT recommends that the DAP review the relevant provisions of Circular No. 0435332 U on 13 October 2025, to ensure that the transfer of prisoners to hospitals is enforced and decided upon solely by healthcare staff based on principles of medical necessity. Furthermore, there is no justification for prison custodial staff to interfere in such transfers for specialist consultations to a hospital on the basis of understaffing or generic security concerns, which can be addressed by an individual risk assessment of each case.**

### c. screening upon admission and recording of injuries

80. The principles outlined in Article 11 of the O.P., pertaining to the processes of admission and medical screening of prisoners, were adhered to in all the prison establishments visited. Inmates were promptly examined and screened upon admission by a General Practitioner or a nurse. Further, inmates were offered a series of routine blood tests and were also physically examined for any injuries and assessed for suicide risk, substance use by the SERd services, and other types of vulnerability.[56] Problematic language barriers were identified in both the Florence Sollicciano and Genoa Marassi Prisons, which were experiencing a significant influx of foreign nationals. In an effort to address this challenge, these institutions implemented effectively software translation solutions and utilised the services of cultural mediators.

81. As concerns the recording of injuries observed on inmates upon admission or during incarceration, this consisted of an adequate description of their shape and colour, mechanics of origin and compatibility with the alleged origin at all prison establishments visited.[57] However, there was no consistent injury documentation pack in use at any of the prisons visited in terms of body charts and photographs of the injuries, and the introduction of an injury register had not yet been enacted. Injury reports were in principle transmitted to the director in view of transferring information to the relevant judicial and prosecutorial authorities.

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55. See in this respect the relevant exchange between the NPM and the DAP on this subject.
56. In principle this consisted of comprehensive laboratory testing, including full blood count, urea, electrolytes and creatinine, liver function tests, including albumin, thyroid function tests, HIV, HBV and HCV as well as syphilis testing. Vaccination campaigns were carried out annually, including influenza in October and varicella and pneumococcal vaccines for high-risk groups. Oncological screening (colorectal, breast and cervical) was also available.
57. Injury reports were transmitted promptly to the relevant prison director in view of further reporting to the competent prosecutorial authorities and supervisory judges, in compliance with the provision of Article 11 of the O.P.

**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 colour photographs 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.**

**Further, the Committee reiterates its recommendation to introduce a dedicated injury register at the prisons visited and throughout the DAP.**

### d. medical confidentiality and documentation

82. The medical confidentiality of prisoners' examinations was respected at Florence Sollicciano and Genoa Marassi Prison, with custodial staff sitting outside medical consultation rooms or inside and within vicinity, but clearly out of earshot. Healthcare staff at both prison establishments told the delegation that in principle only rare exceptions to the confidentiality principle would occur in case of high-risk new arrivals whom they did not feel confident to interact with in an unsupervised setting.

The confidentiality of medical examinations at Santa Maria Capua Vetere, Avellino and Foggia Prisons was compromised for reasons related to the layout of the infirmary at Foggia[58] and the disorganised setting at Avellino Prison. Consequently, prison staff were frequently present in examination rooms in the infirmary or in the adjacent waiting room with the door open, in close proximity with the inmates in question (including within visual and hearing range).

83. The CPT considers that, as a general rule, all medical examinations/consultations of prisoners in prison should be conducted out of the sight and hearing of custodial staff, under conditions fully guaranteeing medical confidentiality. Taking due account of the need to ensure the safety of healthcare staff while exercising their duties, the presence of non-healthcare staff during the consultation at the request of the healthcare professional may be warranted in exceptional cases.
Any such exception should be specified in the relevant regulations and should be limited to those rare cases in which, based on an individual risk assessment, and after due consideration of less intrusive security measures, the healthcare professional considers the presence of prison officers necessary to fully contain the perceived risks posed by the prisoner.

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

84. Medical documentation was adequately stored and secured at Florence Sollicciano and Genoa Prisons, where digitalisation processes were also being adopted and ongoing. At Avellino and Foggia Prisons the delegation observed that individual medical files of inmates were often placed on stretchers in view of custodial staff.[59]

**The CPT recommends that at Avellino and Foggia Prisons the medical records room be secured, and access restricted exclusively to healthcare staff.**

58. Due to the fact that the infirmary borders the main corridor and features constantly open doors and a chaotic and disorganised atmosphere
59. During the visit to Avellino Prison, the delegation observed a custodial officer consulting the medical files of prisoners in the infirmary's consultation room.

### e. medication

85. The system for procurement of medication changed in accordance with the prison establishments, with some relying on private pharmacies, while others had a centralised procurement system. In principle all prison establishments were generally well stocked with an adequate supply of medication. However, at Avellino and Foggia Prisons the delegation found that some medication had expired, and at Santa Maria Capua Vetere Prison benzodiazepines were not adequately locked in the relevant cabinets.

**The CPT recommends that the ASL of Avellino and Foggia take the necessary steps in order to ensure that medications at the prisons under its responsibility are up to date. Further, the cabinets of the pharmacy of Santa Maria Capua Vetere Prisons should be secured, locked and only accessible to healthcare staff.**

86. As regards the distribution of medication, this was performed by nurses and supervised in respect of Medication for Opioid Use Disorder (MOUD), including in the presence of custodial staff. Medication was prepared by nurses in infirmaries and the prison establishments did not in principle resort to the practice of in-possession medication to prisoners.

### f. review of fitness for detention and support inmates or "*piantoni*"

87. As mentioned in paragraph 24 the CPT delegation had encountered several inmates whose fitness for detention was questionable in terms of lack of reasonable accommodation and/or incompatible healthcare status in terms of somatic and psychiatric healthcare. In such scenarios the prison management would lodge a request to that effect to the relevant supervisory judge (in case of sentenced prisoners) or the prosecutorial/ investigative authorities (in relation to remand prisoners), pursuant to Article 117 and 118 of the CC.

88. Article 11 of the O.P. stipulates that inmates placed in disciplinary isolation should receive a daily visit by healthcare staff, and the establishments visited were compliant with this provision. However, as regards inmates serving other isolation and segregation measures in the same conditions (such as those pursuant to Article 14 bis and Article 72 of the CC), such medical checks were not systematic and would in principle take place upon request by the inmates.

**The CPT recommends that the Italian authorities take the relevant measures, including of a legislative nature, in order to ensure that every prisoner who is subject to a solitary confinement measure such as those under special surveillance (Article 14bis of the O.P.), *isolamento diurno* (Article 72 of the CC) or isolation for judicial or medical purposes (Article 33 of the O.P.), are subject to a mandatory medical check on a daily basis.**

89. At Foggia, Santa Maria Capua Vetere and Foggia Prisons, several prisoners, such as bed-bound and paraplegic inmates, were being accommodated in a double- or multiple-occupancy room together with another prisoner who acted as permanent caretaker (*piantone*). In the establishments visited, *piantoni* were selected by the management from among a group of volunteer prisoners. They were employed by the prison and paid a monthly salary. As a rule, they shared the cell with the prisoner in need of care and provided *de facto* support on a 24-hour basis. Before taking up their duties, they underwent a mandatory medical check by an occupational health specialist. As regards the role of *piantoni* in general, the CPT urges caution when involving fellow inmates in the care of prisoners, all the more so when the prisoners concerned require more specialised care. The CPT notes particularly that none of the *piantoni* had received any training for the specific tasks they were supposed to perform as a caretaker in any of the establishments visited.

**The CPT recommends that steps be taken by the relevant authorities to ensure that *piantoni* employed at Avellino, Foggia and Santa Maria Capua Vetere Prisons, as well as in other prisons in Italy, receive appropriate training in caring skills.**

**Further, the Committee wishes to stress that any involvement of *piantoni* in the care of disabled prisoners should never lead to a total delegation of staff responsibilities and that the work of *piantoni* should always be adequately supervised by a qualified member of healthcare staff.**

### g. psychiatric care

90. In its past visits the CPT has examined in detail the quality of mental healthcare provided to prisoners with mental disorders in prison, notably in light of forensic patients being accommodated in prison pending transfer to a psychiatric facility for the enforcement of security measure (*Residenza per l'esecuzione delle misure di sicurezza* REMS),[60] as well as the progressive development of specialised psychiatric units in prison (*Articolazioni per la tutela della Salute Mentale* or ATSM). In the course of the 2025 visit, the CPT visited the ATSMs of Santa Maria Capua Vetere, Florence Sollicciano and Marassi Prisons.

91. The presence of a psychiatrist at Santa Maria Capua Vetere, Avellino and Foggia Prisons was clearly not sufficient to meet the needs of the prison population. For example, at Foggia Prison the presence of one psychiatrist for 12 hours a week was clearly insufficient in order to meet the needs of a population of 671 inmates. Similarly, at Avellino Prison a psychiatrist would pay a visit once a week and occasionally twice examining around 25 patients at a time. In terms of involuntary hospitalisation in emergency cases, all prison establishments had arrangements for the initiation of a TSO (*trattamento sanitario obbligatorio)* and the transfer of prisoners to the psychiatric ward of a civil hospital (SPDC).

92. The difficulty in providing adequate care for prisoners suffering from mental disorders at Santa Maria Capua Vetere Prison is well exemplified by the case of Mr H who was accommodated in a single cell of the Danubio Module (*Lato B*) and who was refusing any contact with prison staff and other inmates.[61] The inmate, who had been involuntary hospitalised on different occasions in the psychiatric ward (*Servizio Psichiatrico di Diagnosi e Cura* or SPDC) of Sessa Aurunca Civil Hospital in view of several episodes of serious physical assault against inmates and staff, was at the time of the CPT visit displaying unruly and aggressive behaviour, which included throwing objects at other inmates, fabricating dangerous objects, deliberately flooding the cell with flushing water from the sanitary annex and setting his cell on fire on repeated occasions. The prison management, in an effort to ensure the safety and security of the module, had taken the measure of removing the majority of the furnishings from his cell, which included the removal of essential items such as a table, chair, and locking cabinets.

Furthermore, all movements of the inmate outside the confines of the cell were meticulously conducted in strict accordance with the protocol established by prison staff for escorting an individual, in full anti-riot gear. The prison director had on several occasions addressed letters to the Campania PRAP, with a view to effecting a transfer to a more suitable environment, in consideration of the substandard conditions and the limitations of the Danubio Module. The situation of Mr I had been examined during an ad hoc inspection of the competent surveillance judge of Santa Maria Capua Vetere, conducted in the Danubio Module on 20 September 2025.

93. The ATSM of Florence Sollicciano Prison, temporarily moved from Section VI to the Admissions Unit as the original section was not fit for purpose, was accommodating five male prisoners for a capacity of eleven beds, of which nine were designated for inpatient care and two for the observation of inmates under Articles 111 and 112 of the R.P. The facility was staffed by one FTE psychiatrist, one nurse, one occupational therapist, one psychologist and three psychiatric rehabilitation technicians. The activities are selected to align with the patient's personalised therapeutic programme.

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60. In the context of the supervision of the implementation of the ECtHR ruling in the group of cases *Citraro and Molino v. Italy* by the Committee of the Ministers of the CoE, the Italian authorities reported that, as of 29 August 2025, 794 persons were accommodated in the 29 REMS operating in Italy. The number of detainees awaiting transfer in REMS decreased from 90 in 2020 to 41 in 2025.

61. Mr H was serving a 16-year sentence for the murder of a nurse in a psychiatric ward of a civil hospital.

94. At Genoa Marassi Prison, the first floor of the SAI (that is, *sostegno integrato*), staffed by two FTE psychiatrists and three clinical psychologists, provided psychiatric care for the prison establishment and other prisons in the Liguria Region. The section also included an ATSM, which consisted of three rooms for a capacity of 11 places, and was accommodating four prisoners suffering from mental health disorders under psychiatric observation pursuant to Articles 111 and 112 of the R.P.

95. The ATSM of Santa Maria Capua Vetere Prisons, accommodating nine prisoners and seven *piantoni* in 13 cells, offered in principle acceptable conditions in terms of state of hygiene and repair.[62] However, the facility was limited by the lack of treatment rooms for group therapy, and had some patches of mould on walls and sanitary facilities. The ATSM was staffed by one rehabilitation specialist, one psychologist, one social worker, fourteen nurses (twelve full-time and two day-shift only), and two psychiatrists who each attended once per week. Furthermore, the psychiatrists were tied down with a barrage of medico-legal work and applications for disability benefits for mental health problems, updating courts on criminal culpability for remand patients and providing expert witness in court, which further reduced the time for actual psychiatric consultations and diminished the possibility for strengthening the psychiatrist-patient relationship. In the CPT's view, the ATSM could have benefitted from additional psychiatric presence. Finally, the ATSM was also under-resourced and undersized in relation to its capacity, as evidenced by the number of prisoners with mental disorders transferred from the ATSM to the Danube module.

96. **The CPT recommends that the ASL of Caserta upgrades the conditions in the ATSM of Santa Maria Capua Vetere, notably with the increased presence of psychiatric staff and capacity to attend to the requirements of patients in need from the entire catchment area of the PRAP of the Campania Region. The ASL should also ensure that the levels of humidity in the ward are monitored and kept under control.**

**Further, the CPT recommends that the mental health team of the ATSM of Santa Maria Capua Vetere be provided with sufficient space to offer all patients a structured programme of activities to assist with their recovery and take advantage of the mental health expertise available.**

**The Committee would also like to be informed of the situation of Mr H accommodated at the Danube Module of Santa Maria Capua Vetere Prison following the ad hoc inspection of his situation carried out by the Supervisory Judge of Santa Maria Capua Vetere, on 20 September 2025.**

### h. mechanical fixation

97. At Genoa Marassi Prison the CPT learnt that in case of over-agitation or self-harm prisoners could be mechanically fixated to a bed bolted to the ground with cloth straps and attached by four limbs in a cell of isolation Section No. 6, by order of a psychiatrist. The legal basis for such a measure was referred to in Article 54 of the CC on the state of necessity.[63] The registers showed that there had been five cases of mechanical fixation since 2020 for a maximum duration of 18hours and 45 minutes.[64] The medical documentation indicated that prisoners could at times receive intramuscular medication of tranquillisers without their consent. The prisoners/patients in question were subject to medical supervision by a doctor every two hours, and by nurses checking vital signs every 15 to 30 minutes.

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62. Conditions were commensurate with the rest of the Nilo Pavilion as described in paragraph 32.

63. There was no specific protocol in place for the application of such a measure in a prison setting. Article 54 of the CC reads as follows: *"A person shall not be punishable if he has committed the act in consequence of being compelled to do so by the necessity of saving himself or others from the actual danger of serious personal injury, a danger not voluntarily caused by him, nor otherwise avoidable, provided that the act is proportionate to the danger."* The application of Article 54 of the CC in the context of a restraint measure of a psychiatric patient must be seen from the angle of the exemption of the staff's responsibility for criminal offences such as, for example, "abduction" pursuant to Article 605 of the CC or "infliction of bodily injury" in accordance with Article 582 of the CC. Further, Art. 41, paragraph 3 expressly forbids the use of means of physical coercion other than those provided for by the Regulation in Art. 82, which refers to those used in public hospitals for the same purposes of mechanical fixation of patients.

64. For example, one inmate had been mechanically fixated on 3 March 2025 at 19:45 and released at 14:30 on the following day.

In the CPT's view, prisoners displaying agitated behaviour which poses a serious risk to themselves or others may be temporarily isolated in an appropriate cell until they regain their composure, only as a measure of last resort, and for the shortest possible time, when all other reasonable options (such as de-escalation strategies vis-à-vis the prisoners concerned) have failed to contain these risks satisfactorily. Further, there is no justification for additional means of restraint such as ankle- and handcuffs to be applied to a prisoner with agitated behaviour once placed in an isolation room. Indeed, such a practice may well amount to inhuman and degrading treatment inflicted for punitive purposes. If the person concerned does not calm down within a reasonable time, they should be transferred to a suitable healthcare facility (within or outside the prison system).

98. **The CPT calls upon the Italian authorities and in particular the ASL No. 3 of the Region of Liguria to stop the measure of mechanically fixating agitated inmates in an equipped cell of Pavilion No. 6 of Genoa Marassi Prison. In the CPT's view, there can be no justification to resort to the mechanical fixation of an inmate in a security (non-medical) setting without constant medical supervision, nor to forcibly administer medication. Further, the Committee is of the opinion that the extensive resort to Article 54 of the CC, which is a protective clause for the exemption of the staff's criminal responsibility, is being applied without a stringent assessment of the criteria of imminent danger, proportionality and residuality as set out in the Article 54 of the CC.**

### i. substance use

99. Once again, the CPT gained a positive impression of the multidisciplinary staff (psychiatrists, substance misuse specialists, psychologists and social workers), service and treatment offered by the drug use services (*servizi pubblici per le dipendenze patologiche* or SER.d) in the prisons visited. Inmates with substance misuse issues were promptly assessed in terms of urine toxicology upon admission and MOUD could be initiated promptly upon admission and in cooperation with the satellite SERd in the community.[65] Further, the SERd services were also offering treatment for alcohol addictions.

### j. prevention of suicide

100. As mentioned in paragraph 8 the number of suicides in Italian prisons remained a matter of concern and was a focus of assessment during the CPT visit. The numbers are particularly alarming, with 83 suicides committed in prison in the course of 2024, and remaining high despite a slight decrease to 76 in 2025. At the outset of the visit the DAP informed the CPT delegation about the most recent efforts invested in addressing this complex problem, which consisted in particular of the reinforcement of psychological support within prison establishments, revised monitoring tools and analysis of cases with the aim of identifying in greater detail the root causes, recurring elements and trends, as well as recommendations in order to address them.[66] Such efforts built on the existing three-tier suicide prevention protocols stemming from a 2016 Directive of the Ministry of Justice.[67]

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65. For example, at Florence Sollicciano Prison 40 prisoners were receiving methadone and 10 prisoners received long-acting injectable buprenorphine (Buvidal). At Genoa Marassi Prison 83 prisoners were receiving methadone.

66. The DAP had in particular issued a thematic Circular on 15 February 2024 under the title "Suicide Preventive Actions in Prisons" with the aim of identifying good practices and preventive strategy, inviting PRAPs and prison management to further revise suicide prevention protocols. Further, the National Council of the Order of Psychologists had produced a report on the analysis of suicidal events in prison in 2023, as well as a more recent empirical study commissioned by the DAP to the National Institute of Health Migration and Poverty, which formulated recommendations on the need to increase staff training on suicide prevention, streamlining of data monitoring, reporting of critical events to the DAP, continuous provision of psychological assistance to prisoners, and mandatory debriefing procedures.

67. The 2016 directive ("*Direttiva del Ministero della Giustizia del 3 Maggio 2016*") called for enhanced efforts in suicide prevention, including through the establishment of a National Action Plan for the Prevention of Suicides in Prison ("*Piano nazionale di intervento per la prevenzione dei suicidi in carcere*"). The plan, adopted in 2017, establishes a three-tier system of suicide prevention (at the levels of the DAP, regional prison authorities and individual prisons) with a strong emphasis on early warning signs, enhanced supervision, lessons learned, and debriefing and training of supervisory staff. Its implementation in practice at all levels remains to be assessed.

In the course of the visit, the CPT conducted an assessment of the measures adopted in relation to the prevention of suicides at the prison establishment visited, notably through the examination of existing protocols and the measures adopted in order to implement them. The Committee concluded that in all prison establishments there was a robust multi-disciplinary approach on the screening of prisoners, with examples of comprehensive risk assessment procedures, risk stratification, involvement of custodial staff and emergency protocols. However, the Committee also remained concerned notably in relation to the fact that in the particularly difficult context of prison overcrowding with poor healthcare staffing, as in Foggia, Avellino and Santa Maria Capua Vetere Prisons, the sub-optimal presence of psychiatric and clinical psychological staff was undermining the efforts and practical implementation of the protocols. Further, the Committee also noted that isolation was too often resorted to as a preventive tool instead of peer support, social connection, and integrated care. Furthermore, the protocols showed a lack of measurable indicators, which may hinder their practical effectiveness unless backed by strong institutional commitment and adequate staffing. Finally, the most pressing concern related to the lack of a national strategy for the reduction and removal of ligature points within prisons (notably those on windows, beds, cell gates and light fittings),[68] and the fact that the majority of cells at the prisons visited were still not equipped with a call-bell or an interphone system.[69]

101. The CPT acknowledges the comprehensive efforts undertaken by the Italian authorities to address the challenges posed by suicide in prisons and encourages them to maintain this commitment as they implement the recommendations outlined by the recent study by the National Institute of Health, Migration and Poverty**.**

**The Committee recommends that the DAP devote particular attention to the following five areas of shortcomings identified by the delegation in its examination of the relevant protocols and practices. This is particularly important in the context of severe prison overcrowding and poor healthcare staffing:**

- **The presence of psychiatric and psychological staff at Avellino, Foggia and Santa Maria Capua Vetere Prisons should be increased to ensure the relevant anti-suicide protocols are properly applied;**

- **isolation measures of prisoners assessed to be at risk of suicide should be avoided, and instead increased peer support tools and stronger interactions with families and integrated care should be promoted;**

- **concrete, measurable outcome indicators in relation to the implementation of the measures foreseen in anti-suicide protocols, such as for example, rate of reduction in suicides, percentage of staff trained, and average response time to risk detection, should be introduced in order to better assess their impact and adopt the necessary corrective measures;**

- **a national strategy for the reduction of ligature points in prisons (notably those on windows, beds, cell gates and light fittings) should be adopted, taking into account the models mentioned above;**

- **call bells and/or interphone systems should be actively introduced in all cells at the national level.**

68. See in this respect the publication of the Independent Advisory Panel on Deaths in Custody under the title *"Ligature deaths in prisons in England and Wales: trends and reduction strategies 2025".*

69. By letter received on 12 December 2025, the Italian authorities informed the CPT that all prison facilities to be constructed or refurbished in the future will be equipped with a call-bell.

### k. deaths

102. The CPT examination of the files pertaining to the deaths that occurred at the prison during the years 2024 and 2025 led to the conclusion that there had been a lack of sharing of post-mortem documentation between the prosecutorial investigative authorities and the prison establishments. This could have facilitated a process of reflection and the identification of learning points, as well as a multidisciplinary evaluation of the facts, with a focus on reflection and effective prevention in medical, clinical, treatment, security and supervisory terms.

**The CPT reiterates its recommendation that the DAP take proactive measures to become a requesting party for all autopsies undertaken in respect of prisoners and systematically share the content of any autopsy report with the relevant prison management and healthcare staff.**

**Further, the Committee recommends that an analysis be undertaken of each death in prison to consider what general lessons may be learned for the prison in which the death occurred and whether, in the case of self-inflicted death, there are any systemic, nationwide measures which must be taken, and to allow the sharing of lessons learnt at the national level. Finally, this recommendation should also be transmitted to the Italian State Judicial Council (*Consiglio Superiore della Magistratura*) for dissemination to the relevant judicial and prosecutorial authorities.**

### l. inspections on quality of care and governance

103. In accordance with the 2015 Agreement of the Unified Conference, ASL is obliged to conduct annual inspections of prison healthcare facilities in order to evaluate the quality of care provided. At the time of the visit, the CPT requested inspection reports for the Caserta, Avellino and Foggia ASLs in relation to the monitoring and assessment of the quality of care provided in the healthcare facilities operated by the same at Santa Maria Capua Vetere, Avellino and Foggia Prisons. The CPT did not receive a response.

**The Committee recommends that all ASLs comply with their obligation to conduct inspections on the quality of care provided to prisoners at all prison establishments nationwide. To this effect the State-Region Unified Conference should remind the Ministry of Health of this obligation and disseminate the pertinent information to all relevant actors. Furthermore, the CPT would like to receive the reports on the inspections conducted over the last year to the healthcare facilities of Avellino, Foggia and Santa Maria Capua Vetere Prisons.**

## 8. Women in prison

### a. preliminary remarks on gender approach

104. At the time of the visit 2 759 women were being detained in Italian prisons, of whom 514 (18.6%) were being accommodated in a specialised women's prison[70] whereas 2 245 (81.4%) were in smaller detention units within mixed gender prisons. Some of these detention units were very small and were maintained solely to allow women to remain close to their families in compliance with the principle of the territoriality of the execution of criminal sanctions pursuant to Article 22 of the O.P. There were also six mother and baby detention units at the national level accommodating 20 mothers and 24 children.

In its report on the 2022 periodic visit the CPT reminded the Italian authorities that a gender-sensitive prison system recognises that most prisons are designed around the needs of men and do not meet the specific needs of women. Women's pathways to criminality are often linked to poverty, trauma, and coercive victimisation rather than violence. Women's social, cultural, and health backgrounds also differ from men, in particular as many have experienced gender-based violence and hold caregiving responsibilities. Because of these differences, prison policies and conditions affect women differently, often

70. Rome Rebibbia, Venice and Trani Prisons.

intensifying the harm they have previously experienced. In essence, a gender-sensitive prison system therefore adapts its policies, services, and environment to meet women's specific needs and ensure equitable treatment. The findings of the ad hoc visit to Italy in 2025 indicate that a gender-specific approach to meeting the needs of female prisoners has yet to be incorporated into the Italian prison system.

105. **The CPT recommends that the Italian authorities take active steps to develop a gender-specific approach towards women prisoners. Furthermore, when developing gender sensitive risk and needs assessments and classification of prisoners it should be taken into account that women generally pose a lower security risk. Furthermore, if women have to be held in predominantly male prisons, there should be a distinct prison management of women prisoners within the overall management of the establishment with a dedicated prison staffing complement.**

106. During the 2025 ad hoc visit the CPT visited female prisoners at:

- the Senna Pavilion of Santa Maria Capua Vetere Prison, accommodating 65 female prisoners under AS3 regime in 16 cells for an overall capacity of 75 places;[71]

- the self-standing female detention unit of Avellino Prison, consisting of a two-storey building with eight cells, and accommodating 32 female prisoners under the medium security regime for an overall capacity of 16 places.[72] The delegation also visited the separate mother and baby unit (ICAM) located in the Municipality of Lauro, approximately 25 kilometres west of Avellino, which was accommodating five mothers with children for an overall capacity of 20 places;

- the self-standing two-storey dedicated female unit of Foggia Prison, located close to the entrance to the perimeter, and consisting of seven cells accommodating 30 female prisoners under medium security regime for an overall capacity of 16 places;[73]

- the female block of Florence Sollicciano Prison consisting of two floors (one of which was under renovation) and accommodating seven female prisoners under the medium security regime for an overall capacity of 70 places.

### b. ill-treatment

107. The delegation did not receive any credible allegations of physical ill-treatment of female prisoners from prison staff, and the vast majority of respondents stated that they were treated correctly and with empathic care by custodial officers. However, at Foggia Prison, the delegation received allegations of verbal harassment, including instances of offensive and disrespectful behaviour from a particular group of prison staff. Such episodes were related in particular to an environment characterised by intimidation and division among two distinct groups of prisoners. This observation was corroborated by the register of critical events and the testimonies of inmates, which provided a first-hand account of the prevailing conditions.

The CPT considers that it is the duty of prison management to deliver to custodial staff the clear message that any offensive and disrespectful behaviour is unacceptable.

**The Committee recommends that the management of Foggia Prison communicate this message to the custodial staff and exercise strict oversight over the manner in which female prisoners are treated by staff.**

71. The unit also included a tailoring workshop funded by an external fashion designer.
72. The unit also included a library, a gym and a hairdressing workshop which was soon to be inaugurated.
73. The unit also included, a two-cell mother and baby unit, an isolation cell, two admission cells, a workshop, a chapel, storage and administrative offices.

108. With regard to inter-prisoner violence, the situation was in principle calm and respectful at Santa Maria Capua Vetere, Florence Sollicciano and Avellino Prisons. However, at Foggia Prison complaints were received of physical aggression and psychological harassment by a specific group of women whose behaviour was particularly problematic, as documented in the register of critical events (such as episodes of cell vandalization, frequent cases of self-harm as well as physical assault among prisoners). The female prisoners in question told the delegation that they did not feel adequately protected by prison staff and the situation was so tense that they only accessed the outdoor exercise yard and common shower facilities in groups in order to avoid physical assault by the problematic group of female prisoners.

In the CPT view, prison management should develop a gender-responsive and trauma-informed violence prevention policy, grounded in a dynamic security approach,[74] with measures to adequately and accurately record, respond to, investigate and prevent inter-prisoner violence and bullying between women in prison. Measures should include the adoption of a comprehensive policy, and systematic and regular risk and needs assessments regarding allocation and placement of women within the prison. Training of staff, *inter alia* on the development of positive staff-prisoner relationships through appropriate interpersonal communication skills is essential.

**The CPT recommends that the Italian authorities effectively apply the above-mentioned precepts, notably with regard to the situation at the female detention unit of Foggia Prison. Further, the remarks and recommendation on the need to develop a national strategy on inter-prisoner violence based on the tenets of dynamic security outlined in paragraph 70 is also valid in this context.**

### c. conditions of detention

109. The female detention units of Santa Maria Capua Vetere, Avellino and Foggia Prisons offered in principle acceptable conditions of detention in terms of state of hygiene and repair, ventilation and access to natural light. However, conditions were cramped in some of the multi-occupancy cells of the Senna Pavilion of Santa Maria Capua Vetere Prison (where cells measuring 25 $m^2$ were accommodating up to seven prisoners). Further, the sanitary facilities did not possess any shower, and the washing machine was not functional, compelling inmates to wash their clothes in buckets. The female block of Florence Sollicciano Prison, which was partially under renovation at the time of the visit, displayed the same deficiencies as the rest of the establishment in terms of water infiltration, mould on walls and vermin infestation (see paragraph 29 above).

**The CPT recommends that the Italian authorities ensure that the DAP and the relevant PRAPs of the Puglia and Campania Regions pay particular attention to the occupancy levels of the female detention facilities of Avellino, Foggia and Santa Maria Capua Vetere Prisons, which were all operating beyond their official capacity. Attention should be paid to maintaining the facilities in a decent state of repair, such as fixing the washing machine at the female detention unit of Avellino Prison.**

110. In this respect, the Committee considers there is much scope for developing non-custodial sanctions as alternatives to imprisonment, whereby women can receive the necessary support within the community to address the specific needs which led to their offending behaviour. Short custodial sentences are known to be ineffective in preparing women for reintegration into the community, have limited deterrent effect, and have been proven to be associated with higher reoffending levels than suspended sentences and community orders.

**The CPT recommends that, in the context of the current efforts of the Italian authorities to tackle prison overcrowding, consideration be given to the above-mentioned precepts in relation to female prisoners.**

74. Dynamic security is based on the principle that proactive and positive staff-prisoner relationships help ensure safety and security, compared to approaches based on coercion and surveillance alone. For this approach to be effective in women's prisons, it must be gender-responsive and trauma-informed. Women's experiences of socialization, trauma, and power dynamics shape how they communicate, build trust, and respond to authority.

111. Female prisoners were receiving a set of feminine hygiene products on a monthly basis as established by the relevant regulations, which they considered insufficient. Consequently, they compensated such deficiencies by purchasing additional items at their own expense, if they had the necessary funds.

The specific hygiene needs of women should be adequately addressed. In particular, women should have ready access to sanitary and washing facilities as well as safe disposal arrangements for blood-stained articles. They should also be provided with an appropriate range of essential hygiene products, such as sanitary towels, tampons or menstrual cups, in sufficient quantities and free of charge.[75]

**The CPT recommends that the Italian authorities take effective steps in order to increase the provision of personal hygiene products for female prisoners in sufficient quantities and free of charge.**

112. In terms of regime on offer, female prisoners were offered the same out-of-cell entitlement as the respective detention circuit for male prisoners (that is, eight hours of open cell time, during which they would be granted four hours of outdoor exercise per day).[76] With the exception of the Senna Pavilion of Santa Maria Capua Vetere Prison where most female prisoners were employed in a tailoring workshop operated by a local fashion designer, the working opportunities for female prisoners in prison establishments were only offered in terms of core maintenance work (cleaning, kitchen and food distribution) and there was no offer of work of a particular vocational value.[77] The offer of educational, sport and recreational activities was minimal (and limited either by the physical separation of the buildings, the low number of female prisoners when compared to male prisoners, or the overall overcrowding rate affecting the entire establishment).[78]

Women in prison should enjoy access to a comprehensive programme of meaningful activities on an equal footing with men, taking into account gender-appropriate needs. The range of purposeful out-of-cell activities should include educational, work, and vocational programs as well as recreation and sports. Women should enjoy access to structured activities tailored to their needs and should be offered courses that go beyond the typical female stereotypes of sewing, cleaning and cooking. Further, the facilities available to women should meet their needs and not be of a lower standard than those available to men in prison.

**The CPT recommends that the Italian 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 the detention units of Foggia and Avellino Prisons should be offered more targeted activities and remunerated work of a vocational value.**

### d. healthcare

113. The quality of healthcare assistance provided to female prisoners at the establishments visited was characterised by the same deficiencies outlined above for the male prisoners. In particular, the delegation received numerous complaints about long waiting times in order to access medical care and notably dental care, the cancelling of specialist appointments due to lack of escorts, and in one case, oncological treatment had been interrupted due to delays in surveillance imaging related to lengthy community waiting lists.

75. See paragraph 73 of the 30th General Report on the CPT Activities (2020), *A decency threshold for prisons – criteria for assessing conditions of detention*.
76. With the exception of Florence Sollicciano Prison where cells were open for 12 hours per day (that is, until 20:30).
77. At Avellino Prison, plans were in place to establish a hairdressing workshop in the female detention unit and to employ a number of female prisoners at the tailoring facility within the prison. Furthermore, a number of female prisoners at Florence Sollicciano Prison took part in a handbag production workshop in collaboration with a fashion designer.

Furthermore, there was no screening for sexual and gender-based violence, and no specific assessment for self-harm and suicide prevention based on a gender perspective for the purpose of preventing their re-traumatisation and secondary victimisation.

**The CPT recommends that a gender-specific medical screening in the period following admission should be introduced at every prison accommodating women. Such screening should allow for the detection of vulnerabilities, including a history of sexual abuse and other gender-based violence, self-harm and suicidal ideation, and mental health concerns, and it should inform any care plan established for the woman to ensure appropriate care and avoid re-traumatisation.[79]**

### e. searches

114. The CPT delegation received numerous allegations from female prisoners about being subjected to a full-strip search while squatting upon admission and return to the prison establishment, in a systematic fashion and contrary to the Italian legislation and circulars on this theme (see paragraph 122).

The CPT considers that, as a matter of principle, alternative screening methods should be developed to replace strip and body searches to avoid the psychological and possible physical impact of such invasive body searches. A strip search – a very invasive and potentially degrading measure and in the case of women who may have experienced sexual related violence also a potentially retraumatising one – should only be conducted as a last resort, following a careful risk and intelligence assessment, and in accordance with the principles of necessity and proportionality, when it is not possible to carry out alternative screening methods (such as a pat-down search, targeted and visual search, or the use of electronic detection and/or body scanners) or if these would be inadequate.

**The recommendation outlined in paragraph 122 in respect of strip searches in the context of detention of male prisoners is also valid in this context.**

### f. staffing

115. The staffing complements of female officers in service at the visited detention units appeared to be adequate, and staff had received specific training modules for the management of this profile of prisoners.

### g. ICAM Lauro

116. The ICAM of Lauro provided very good conditions of detention to the five mothers and children accommodated there.[80] The facility consisted of 20 rooms organised as mini apartments, each possessing a kitchenette, which were spacious, well decorated, luminous and ventilated and had been conceived and planned in cooperation with the Faculty of Architecture of Naples University in order to minimise its carceral aspects. The facility also featured a large green area equipped with a gazebo and which included a playground for children.[81] The ICAM was provided with a good stock of puericulture and hygiene products (nappies, soap, shampoo, washing powder, and clothing, for example) as needed and provided free-of-charge.

79. See Rule 6 of the Bangkok Rules.

80 At the time of the 2025 CPT's ad hoc visit to Italy, there were a total of 20 mothers with 24 children accommodated in the six dedicated facilities nationwide.

81. Within the facility, there was also a kitchen with an adjoining dining hall, a library, and a room designated for educational activities and study for mothers and children.

117. The mothers spoke positively of the treatment and conditions provide to them, children of school age were attending a local school (or kindergarten) and received assistance in homework supervision and attention from external actors.[82] Some of the women were engaged in work or educational activities[83] and all of them received parental counselling. Furthermore, several grant projects were being implemented in terms of reading and drawing workshops, dance and football for children, and religious education.

118. In terms of healthcare, there was no paediatrician visiting the establishment and children would be referred to an external clinic. The children's medical files showed compliance with the national vaccination cycle and that their healthcare status was adequately monitored. As concerns female prisoners, they would also be promptly referred to an external clinic, but there was no gynaecologist visiting the establishments and no screening for gender-based violence.

**The recommendations outlined in paragraph 113 on the need to provide an adequate gender perspective in the provision of healthcare for female prisoners is also valid in this context.**

119. The ICAM Lauro was staffed with 23 custodial officers who wore plain clothes and who, despite a lack of formal training in this specific environment, had acquired practical experience which has contributed to the development of their operational approach. The complement also includes one educator and an assistant in charge of the organisation's activities, both internal and external, planned to ensure the inclusion of the children.

## 9. Other issues

### a. means of restraint and security measures (searches, pepper spray)

120. Article 41 of the O.P. limits the use of physical force against prisoners to cases where it is indispensable to prevent events which would seriously disrupt order and security. This includes preventing or stopping violent acts, preventing escape attempts, and overcoming passive or active resistance to orders. Any intervention must be proportionate, that is to say, the amount of force used must be the minimum necessary to achieve the security objective. Prison officers who have had to resort to physical force must report this immediately to the Director of the establishment. The Director must then order medical examinations of the prisoner and carry out other appropriate investigations without delay, and the cases must be reported to the competent supervisory judge. The observations of the delegation during the visit indicate that incidents of resort to use of force were the object of incident reports containing medical documentation on injuries sustained, statements of prison staff and prisoners, and a summary description of the intervention.

121. However, from the incident reports examined, including CCTV recording, it did not always transpire that the resort to the use of force by prison staff had been applied in a proportionate and professional manner and records did not always accurately describe the sequence and modality of the use of force applied, or the degree of its proportionality. Furthermore, statements of prisoners were not always included.

For example, the incident report concerning the episode of agitation and aggressive behaviour of a slight inmate at Florence Sollicciano Prison on 2 September 2025, had required a group of seven prison officers to escort him from the infirmary to his cell.[84] The CCTV recording examined by the CPT delegation showed that after he refused to enter the cell, lying on the ground and holding on to the door, it had taken the

82 In accordance with the provision of Law No. 62 of 21 April 2011, children may be accommodated in an ICAM with their mothers until they reach the age of six years.

83. Notably on maintenance works and in cooperation with the Provincial Centre for Adult Education in Avellino.

84. On 2 September 2025, Mr J had been verbally and physically attacked by two other prisoners while he was distributing food in Section 13. He was seen by healthcare staff but later that evening insisted on being seen again by a doctor in the prison infirmary. Once there he became agitated when told he did not need to be transferred to the emergency unit of the hospital and began addressing threats to the healthcare staff, which prompted the intervention of prison officers.

seven prison officers 12 minutes of pushing, pulling and administering several blows to his body, to get him into the cell.[85] It appeared that the operation was disorganised and chaotic, particularly given the difficulties experienced by prison staff in applying appropriate manual control techniques to an inmate of advanced age (57 years old) and a fragile physique. Furthermore, the relevant incident report drawn up by the Commander of the Prison Staff to the prison director on 2 September 2025 did not provide a comprehensive account of the nature and sequence of the force applied against Mr J.

As outlined in paragraph 72 on the need to integrate the prison's handbook kit into the management of critical events in prison with a module on manual control techniques for prison staff, this recommendation is also valid in this context.

**Furthermore, the CPT recommends that any report on the use of force against a prisoner should contain a thorough description of the type of force used, its duration, and an assessment of its proportionality in the context of the observed situation.**

122. For security reasons, prisoners may be subjected to personal searches, provided that this is carried out with full respect for their dignity (Art. 34 of the O.P.). Article 74 of the R.P. clarifies the manner of execution: searches are to be carried out by prison police personnel of the same sex as the person to be searched. They can be conducted in ordinary, routine cases, such as upon admission and transfers out of the prison. Furthermore, a specific Circular No. 3542/5992 of the DAP issued on 16 February 2001 provides for the ordinary resort to control instruments such as metal detectors, and resort to strip searches only in cases when "this cannot be avoided without compromising a minimum level of security. In particular, the resort to strip searches with squatting is particularly discouraged and must be reduced to a minimum, since they raise *'questions about the compatibility with the respect for the dignity of the person subjected to them*'. Despite these clear and well-established regulations, the delegation received some allegations from prisoners in the course of the 2025 visit that they had been subjected to strip searches fully naked, including with the obligation of squatting as a routine exercise upon admission to prison or return from leave or transfer at most of the prison establishments visited.

The CPT takes the view that a high frequency of searches involving systematic stripping of a prisoner entails a high risk of degrading treatment.[86] Furthermore, the regular subjecting of prisoners to strip searches after intimate or family visits may discourage their free exercise of this right.

**The CPT recommends that the Italian 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. Rather, a person should be allowed to remove their clothing above the waist and then put their clothes back on, before removing further clothing.**

123. By Decree of 22 December 2025 the DAP Director established a Commission in charge of conducting a prospective study for a period of six months on the use of pepper spray by the prison police, with a view to assessing its compatibility with the tasks of prison staff and analysis of the context and modalities for its potential use. In addition to the technical denomination and composition of the pepper spray, the Decree also refers to the fact that the Commission should assess, *inter alia* the use of pepper spray in enclosed areas (such as cells, communal facilities such as treatment rooms and workshops etc.).

85. When examined by the prison doctor on 3 September 2025, the following entry was included in his medical file: *There are scratches and bruises on the left cheekbone, below the eye, and smaller scratches on the right cheekbone and to the left of the nose. There is some bruising on the upper right lip and the centre of the lower lip. Mucosal oedema. Erythema on the left thigh, left bicep and right clavicle. Given ibuprofen 600 mg. Box ticked: At the moment, it is not possible to assess whether the lesions are compatible with the reported circumstances in terms of time, modality, and place.*

86. See also the case-law of the European Court of Human Rights on strip-searches; for example, and *Roth v. Germany*, no. 6780/18 and 30776/18, dated 22 October 2020.

**The Committee, in light of its observations on the use of pepper spray in places of deprivation of liberty, considers that it should not under any circumstances be used in confined spaces with insufficient ventilation, due to the risk of suffocation and other serious health consequences. Further, in the CPT's view it is inadmissible for pepper spray to be used solely to enforce compliance or to enforce regulations of a purely administrative nature in the absence of any threat to safety. The CPT considers that the relevant guidelines being developed by the Italian authorities governing the use of pepper spray in prisons should include, as a minimum:**

- **Clear instructions as to when pepper spray may be used, in compliance with the principles of subsidiarity, proportionality, advance warning and precaution;**
- **The right of persons exposed to pepper spray to be granted immediate medical attention;**
- **Information regarding the qualifications, training and skills of staff members authorised to use pepper spray;**
- **An adequate reporting and inspection mechanism with respect to the use of pepper spray.**

**Finally, the Committee would like to receive a copy of the prospective study of the above-mentioned Commission on the use of pepper spray in prison establishments.**

### b. discipline

124. As regards disciplinary procedures, the situation has not changed since the Committee's previous visits. The Prison Law and the Prison Regulations set out in detail the procedures to be followed when a person in prison is suspected of committing a disciplinary offence, both in terms of the procedure before the Disciplinary Board and the possibilities of appealing any punishment.[87]

During the visit, the delegation did not find instances of excessive resort to disciplinary proceedings, and the sanctions appeared to be balanced. For example, at Foggia Prison a sanction of up to 15 days of solitary confinement had been imposed in 88 cases during the first nine months of 2025, out of a total of 590 disciplinary proceedings. In principle inmates subjected to solitary confinement were serving their term in single cells of the isolation department, which also accommodated prisoners serving other disciplinary or segregation measures and providing the same conditions as those described in paragraphs 28-32. Inmates serving a solitary confinement sanction were permitted access to outdoor exercise for two hours per day in dedicated courtyards, which retained the very austere design as those described in paragraph 32, and received daily visits and checks from healthcare staff.

125. As regards disciplinary proceedings, the relevant provisions of the legislation were complied with in practice, prisoners subject to disciplinary proceedings received an exposition of the charges, were provided time to arrange their defence, heard in front of a disciplinary commission, and decisions were reasoned, delivered in writing, and could be appealed to the competent supervisory judge. However, there was still no possibility for inmates to call for witnesses to testify during disciplinary hearings, nor to avail themselves of legal counsel.

**The CPT calls upon the Italian authorities to ensure that prisoners facing disciplinary charges are allowed to call witnesses on their behalf, to cross-examine evidence given against them, and to have a lawyer present during hearings before the disciplinary board. Further, prisoners should receive a copy of the disciplinary decision, informing them about the reasons for the decision and the avenues for lodging an appeal. The prisoners should confirm in writing that they have received a copy of the decision.**

87. See Articles 35bis, 36, 38 to 40 and 69 of the Prison Law, and Article 81 of the Prison Regulations

### c. contact with the outside world

126. Inmates are entitled to six visits of a duration of one hour per month, with family members or other persons, in open conditions and without a physical barrier. The duration and frequency of the visits can be increased under specific circumstances by the prison director and with the approval of the competent judicial authority.

As regards the facilities, visits would normally take place in dedicated rooms equipped with tables and chairs, with a cafeteria for the consumption of hot beverages. Some Italian prisons, such as Florence Sollicciano, foresee the possibility for inmates to meet their families in so-called outdoor areas with vegetation and gazebos, offering a more pleasant environment (*aree verdi*). However, at Foggia Prison, despite the existence of such facilities, these were not in use due to insufficient staff.

**The CPT recommends that the prison management of Foggia Prison resume the use of the *aree verdi* where prisoners could meet with their families in a more pleasant and convivial setting.**

127. The delegation was informed by the DAP of the Constitutional Court decision No. 10/2024, declaring that the provisions of Article 18 of the O.P. are unconstitutional insofar as they prevent a detained person from visiting their spouse, partner or cohabitee without the supervision of prison staff. During the visit, the delegation observed that works were underway to create a dedicated facility for the conduct of intimate visits of prisoners at Foggia Prison, in order to ensure compliance with the Constitutional Court's decision.

**The CPT would like to be informed of the measures being taken by the DAP pursuant to the Constitutional Court decision No. 10/2024**

128. Through legislation adopted in 2024, *inter alia* in order to facilitate contact with families and prevent episodes of psychological distress, prisoners can now receive the same entitlement of telephone calls (that is, six) per month as visits, for a duration of ten minutes per call. Telephone calls are made in the sections using dedicated telephone booths, operated by a telephone card. The DAP had also maintained the use of video calls through VoIP which had been introduced in the course of the pandemic, notably as a substitute for a family visit in case of objective difficulties such as long distance, sickness of family members, and foreign prisoners.

Nevertheless, as set out in its report on the 2022 visit, the CPT again found that many prisoners were not afforded the possibility to make a phone call for at least two weeks or more after their admission to prison.[88] The CPT considers that all persons entering prison should be offered the opportunity of one phone call to let their families know where they are and what they require.

129. It is not only a question of maintaining contact with the outside world, but of diminishing potential tensions given the importance for prisoners of contact with family members. During the visit to Genoa Marassi Prison, the delegation met a foreign national prisoner who had been in prison for a month and had not yet been able to contact his family. Every time he approached staff, he was told to fill out a request. He had filled the forms out three times but had received no answer. The delegation observed that staff were dismissive of his growing angst to contact his family and did not see that their actions were potentially undermining the good functioning of the institution.

88. See paragraph 172 of the report on the 2022 CPT visit to Italy (CPT/Inf (2023) 5).

**The CPT reiterates its recommendation that the Italian authorities offer all newly arrived persons in prison the possibility to make one short phone call to a family member as part of the admission procedure.**

**Further, the Committee also invites the Italian authorities, following the path of other countries of the Council of Europe region, to consider the introduction of relevant digital contact points within prisons, with access to the internet and the possibility of Voice over Internet Protocol (VoIP).**[89]

### d. complaints procedures

130. The Italian prison system offers inmates three avenues through which they can lodge complaints. These refer to the following types of complaints:

- generic complaints, notably to the DAP, healthcare authorities, NPM, and international bodies on all aspects of prison life;
- jurisdictional complaints to the surveillance judge in case of alleged infringements of prisoner rights; and
- requests for redress of a situation, and compensatory complaints, notably as concerns possible violations of Article 3 of the ECHR, to be filed to the relevant supervisory judge.

Further, prisoners are entitled to submit requests, known as *domandine*, on the prescribed forms. The delegation found that such avenues are well-known to prisoners and were being actively used in the prisons visited.

131. However, a number of prisoners expressed their dissatisfaction with the perceived lack of response, or the excessive delays experienced in the processing of their complaints and requests. These issues have been particularly highlighted in relation to slow processing by some supervisory judges. In certain instances, these cases pertained to issues concerning the suitability of detainees for release on medical grounds, or the granting of alternative measures to detention. During the course of a meeting with the members of the *Tribunale di Sorveglianza* of Santa Maria Capua Vetere, the delegation was informed of significant delays in the processing of requests by prisoners for alternative measures to detention,[90] which were attributed to the prolonged period of time taken by the relevant prison establishments to assess psycho-social needs, and the low staffing ratio of treatment staff to prisoners. Furthermore, the supervisory judges expressed concern over an increased workload, citing the need to supervise a high number of establishments within their respective catchment areas, and requested a reinforcement of their ranks.

132. **The CPT recommends that the Italian authorities give due attention to the capabilities of supervisory judges to deal with their workload, notably in terms of processing of requests for alternative measures and complaints from prisoners pursuant to Articles 35 and 69 of the O.P. The Italian authorities should also consider the possibility of creating online, digitalised information points within prisons, as has been successfully done in other countries. Such a system would allow inmates to consult their personal files and the status of their complaints and requests. This will also comply with the spirit of the DAP Circular of 13 October 2025, which called for prompt follow-up to administrative requests from prisoners to be ensured, as identified as one of the root causes of critical events in Italian prisons.**

89. The 'digital cell' project undertaken in different countries also includes the possibility of installing tablets in cells, with access to TV channels, radio, digital journals and magazines, online educational courses, and the option for prisoners to manage and check the status of lodged requests and complaints.
90. Such as early release, conditional release, probation measure to social services, transfer to a therapeutic community for inmates with substance use disorders etc.

133. Another object of complaint and grievance was the numerous compensatory complaints filed by prisoners for poor material conditions and prison overcrowding pursuant to Article 35ter of the O.P. (see paragraph 37). The documentation examined by the delegation at the establishments visited showed that, while in some cases supervisory judges were granting compensation in terms of punishment reduction or in pecuniary terms, in many others the rigid and somehow contradictory elements of the jurisprudence established at the national level on the living space per prisoner in multi-occupancy cells (see paragraph 36). This is linked, *inter alia* to the differing notions applied by Italian magistrates in respect of the measurement and calculation of living space per prisoner in multiple occupancy cells and its attenuating factors.

**The recommendation of the CPT and its notion of the calculation of minimum living space in prisons outlined in paragraph 39 is also valid in this context.**

### e. inspection procedures

134. In accordance with Article 69 of the O.P., supervisory judges were responsible for conducting inspections of prison establishments. These inspections included an assessment of material conditions, interviews with detainees and staff, and access to their files, including medical documentation. The supervisory judges then prepared reports on their visits, including photographic documentation of the observed conditions, to the relevant judicial authorities and the director of the establishment, with clear recommendations. This is a positive development. Nevertheless, the Committee is of the opinion that the components of supervisory judges should be reinforced in light of the remarks outlined in paragraph 132.

# APPENDIX I – ESTABLISHMENTS VISITED

The delegation visited the following places of detention:

**Prisons:**

- Avellino Prison
- Florence Sollicciano Prison
- Foggia Prison
- Genoa Marassi Prison
- Santa Maria Capua Vetere Prison

# APPENDIX II – List of AUTHORITIES met during the visit

## A. National authorities

**Ministry of Foreign Affairs and International Cooperation:**

- Giovanni Battista Iannuzzi, Minister Plenipotentiary, President of the Inter-Ministerial Committee of Human Rights (CIDU)
- Daniele Borrelli, Counsellor at CIDU
- Maja Bova, Advisor at CIDU

**Ministry of Justice:**

- Carlo Nordio, Minister of Justice
- Stefano Carmine De Michele, Head of the Department of the Penitentiary Administration (DAP)
- Massimo Parisi, Deputy Head of the DAP
- Francesca Gioieni, Head of Unit, DAP

**Ministry of Health:**

- Cristina Tamburini, Head of Unit for the Health Protection of Vulnerable Persons
- Modesta Visca, Head of the Office for International Relations

**Special Commissioner for the Prison Estate (Presidency of the Council of Ministers)**

- Claudio Doglio, Special Commissioner

## B. National Guarantor for the Rights of Persons Detained or Deprived of Liberty (NPM)

- Riccardo Turrini Vita, President of the Board of the *Garante Nazionale*
- Irma Conti, Member of the Board of the *Garante Nazionale*
- Mario Serio, Member of the Board of the *Garante Nazionale*

## C. Non-governmental Organisations

- *Antigone*

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# "NO ONE SHALL BE SUBJECTED TO TORTURE OR TO INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT"

*Article 3 of the European Convention on Human Rights*

Established in 1989 by the Council of Europe Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the CPT's aim is to strengthen the protection of persons deprived of their liberty through the organisation of regular visits to places of detention.

The Committee is an independent, non-judicial preventive mechanism, complementing the work of the European Court of Human Rights. It monitors the treatment of persons deprived of their liberty by visiting places such as prisons, juvenile detention centres, police stations, immigration detention facilities, psychiatric hospitals and social care homes. CPT delegations have unrestricted access to places of detention, and the right to interview, in private, persons deprived of their liberty. They may access all the information necessary to carry out their work, including any administrative and medical documents.

The CPT plays an essential role in promoting decency in detention, through the development of minimum standards and good practice for states parties, as well as through coordination with other international bodies. The implementation of its recommendations has a significant impact on the development of human rights in Council of Europe member states and influences the policies, legislation and practices of national authorities regarding detention.

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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