



ROUND-TABLE

Professional Policing: Treatment of Apprehended Persons and Consequences

Forensic Science Division, 2-6 Antigonis Street, Athens, Greece,
10-11(morning) January 2019

FIRST DAY – 10 January 2019

9:30-10:00 INTRODUCTORY REMARKS

- Ms Olga Gerovasili, Minister of Citizen's Protection
- Ms Xenia Dimitriou-Vasilopoulou, General Prosecutor of the Supreme Court of Greece
- Mr Christos Giakoumopoulos, Director General Human Rights and Rule of Law, Council of Europe
- Mr Andreas Pottakis, Greek Ombudsman
- Prof Nils Melzer, UN Special Rapporteur on Torture

10:30-12:30 SESSION 1: Law (criminal liability and sanctions)

10:00-11:00 Chair: Mr Eftychios Fytrakis, Secretary General of Anti-Crime Policy, Ministry of Justice, Transparency and Human Rights

Speakers:

- Prof Sofia Vidali, Professor of Criminology, Democritus University of Thrace, Department of Social Administration and Political Administration
- Mr Panayotis Brakoumatsos, Vice Prosecutor General of the Supreme Court of Greece
- Mr Kostas Mavroidis, Attorney-at-Law, Athens Bar

11:00-11:20 Coffee break

11:20-12:30 Discussion

Thematic tracks for discussion

1. *Are changes in the law to respond to the problems identified feasible and forthcoming? This question refers in particular, but not exclusively, to:*
 - a) reforming the definition of torture in Article 137A(2) of the Penal Code;
 - b) removing limitation periods in relation to crimes of torture and other wilful ill-treatment;
 - c) guaranteeing commensurate and dissuasive sanctions for torture and other wilful ill-treatment.
2. *What are the resource implications of such potential changes, if any?*
3. *Can the Council of Europe be of any assistance in the process?*

12:30-14:00 Lunch break

14:00-15:50 SESSION 2: Operational safeguards

Chair: Mr Dimitrios Anagnostakis, Secretary General for Public Order, Ministry of Citizen Protection

14:00-15:00 Speakers:

- Dr Julia Kozma, member of CPT (Austria)
- Mr Christos Manouras, Police Colonel, General Policing Division

15:00-15:50 Discussion

Thematic tracks for discussion:

1. *How can changes to law and/or practice better secure key operational safeguards for persons in custody? This refers in particular, but not exclusively, to:*
 - d) facilitating contact with family or third parties for all persons in custody, including those lacking funds;
 - e) ensuring apprehended persons, including those lacking funds, can secure the presence of a lawyer from the beginning of custody and, notably, during interview, and that ex officio lawyers perform such work expertly and rigorously;
 - f) facilitating prompt access to doctors and regular visits by nurses/doctors across all places of custody for purposes of treatment and/or medical examination where requested, and ensuring full respect for medical confidentiality;
 - g) ensuring full information on rights – including to submit complaints – is provided from the outset of anyone’s deprivation of liberty;
 - h) the creation and maintenance of detailed custody records;
 - i) clear standards and training on the conduct of human rights-compatible interviews in police custody.
2. *What are the resource implications of such potential changes, if any?*
3. *Can the Council of Europe (and other European organisations) be of any assistance in this process?*

15:50-16:10 Coffee break

16:10-18:00 SESSION 3: Institutional culture – moving from interrogation to investigative interviewing

Chair: Ms Xenia Dimitriou-Vasilopoulou, General Prosecutor of the Supreme Court of Greece

16:10-17:15 Speakers:

- Mr Michael Kellett, former Detective Chief Inspector, Lancashire Constabulary, UK
- Mr Theodoros Theodorou, Police Major, Security Division of Attica

(substitute: Mr Evangelos Dimoglou, Police Captain, Security Division of Attica)

- Mr Ioannis Ilias, Attorney at Law, Professor of Police Academy (substitute: Mr Kyriakos Babasidis, Attorney at Law, Professor of Police Academy)

17:15-18:00 Discussion

Thematic tracks for discussion

1. *How can positive changes in the practice and culture of law enforcement officials be brought about? This includes – but is not limited to – consideration of:*
 - a) *widespread and systematic training of law enforcement officials in human rights-compatible policing, including apprehension, interviewing, and other law enforcement operations;*
 - b) *mainstreaming human rights into the recruitment, training, practice and culture of law enforcement officials;*
 - c) *making equality and non-discrimination a central pillar of such organisational reform, including through recruitment of persons representing minority groups.*
2. *Would it be useful to explore practices of mainstreaming human rights into law enforcement and other legal processes? Can collaboration with policing experts from other States or external bodies facilitate such reform?*
3. *What are the resource implications of undertaking such action, if any?*
4. *Can the Council of Europe (and other European organisations) be of any assistance in this process?*

SECOND DAY – 11 January 2019 (morning)

9:30-12.30 SESSION 4: Independence, accessibility and effectiveness of complaint and investigation mechanisms

Chair: Mr Christos Giakoumopoulos, Director General, DG Human Rights and Rule of Law, Council of Europe

9:30-11:00 Speakers:

- Mr Georgios Vaggelis, Police Captain, Greek Police Internal Affairs Office of the Hellenic Police
- Ms Chrysa Hatzi, Senior Investigator, Greek Ombudsman's Office
- Mr Konstantinos Georgiadis, Adviser, State Legal Council
- Dr Julia Kozma, member of CPT (Austria)

11:00-11:15 Coffee break

11:15-12:30 Discussion

Thematic tracks for discussion

1. *How can the independence, accessibility and effectiveness of complaint and investigation mechanisms and processes be improved? This includes – but is not limited to – consideration of:*

- a) removing obstructions to, and facilitating, the submission of complaints of torture and related ill-treatment to all relevant authorities;
 - b) ensuring that complaints and investigation mechanisms are both independent and effective in leading to the identification and, where relevant, the punishment of those responsible, and reconsidering limits to the Ombudsman's powers in this context;
 - c) strengthening all relevant actors' response to allegations of torture or other ill-treatment, at all stages of the investigative process;
 - d) widespread initiatives to ensure prosecutors and courts engage fairly and robustly with torture and wilful ill-treatment as criminal offences.
2. *What are the resource implications of such changes, if any?*
3. *Can the Council of Europe (and European states or networks like IPCAN) be of any assistance in this process?*

12:30-13:00

CONCLUSIONS

Mr Christos Giakoumopoulos, *Director General*, DG Human Rights and Rule of Law, Council of Europe