

EXECUTIVE SUMMARY

The 2017 visit was the first time that the CPT had visited the United Kingdom Sovereign Base Areas on Cyprus (SBA). The CPT's delegation examined the treatment afforded to, and conditions of detention for, persons held in various places of deprivation of liberty within the SBA. The co-operation received from the SBA authorities and the staff at the establishments visited was very good.

SBA Administration: Police

The CPT's delegation received no allegations of ill-treatment by SBA police officers, and gained the impression that detained persons were generally treated well in custody. The CPT examined the application of certain fundamental safeguards against ill-treatment for persons deprived of their liberty by the police. As regards access to a lawyer, the CPT expressed concern that in certain circumstances access to a lawyer may be delayed for up to 24 hours and that during this period detained persons may be interviewed in the absence of a lawyer. The Committee considers that as the presence of a lawyer during this critical phase of police interviewing is an important safeguard against ill-treatment, any such delay should require the authorisation of a judge or a magistrate. SBA legislation prescribes that medical examinations should take place in private, unless a police officer has reasonable cause to believe that the safety of the healthcare professional would be at risk; in the CPT's view, all medical examinations should be conducted out of the hearing and - unless the doctor concerned expressly requests otherwise in a given case - out of the sight of police offices.

As regards the length of police custody, the CPT's delegation found that persons had been held in Kolossi Police Station for up to eight days. The CPT considers that remand custody on police premises in itself presents an increased risk of ill-treatment and that a police establishment is not an appropriate environment for detaining persons for more than a few days. Thereafter, detained persons should be promptly transferred to a more appropriate detention facility. The material conditions in the police stations visited differed; they were generally good at Kolossi Police Station, whereas Dhekelia Police Station should be comprehensively renovated, to provide adequate conditions of detention.

Persons had also been held, for public order reasons, by the SBA Police in a concrete aircraft hangar known as "16 Flight". The poor material conditions of "16 Flight" rendered it unsuitable as a place of detention and it should be removed permanently from the list of "designated places of detention". The Committee is particularly concerned about the reports of the use of "16 Flight" for the detention of young children and requests details of the legal basis for their deprivation of liberty.

SBA Administration: HMP Dhekelia

An unusual feature of HMP Dhekelia is that it falls under the responsibility of the SBA Police Service and is operated and staffed by SBA police officers. The CPT recommends that the prison should be run by fully qualified specialist prison staff reporting to authorities that are separate from the police, and that a full review be swiftly conducted into whether HMP Dhekelia remains viable as a prison.

No allegations of ill-treatment by police staff at HMP Dhekelia were received, and inmates generally appeared to be treated well. However, one allegation was received regarding excessive use of force when “quick cuffs” were applied; the CPT recommends that the use of “quick cuffs” be reviewed and that handcuffs should only be used during escorts on the basis of individual risk assessments. The prison’s cells were based on a standard UK police design, with metal plinth beds and block-glass opaque windows. The CPT considers that accommodation of this nature offers a very austere environment for persons held for periods longer than a few days; it is unsuitable for persons serving long or even life sentences. As for the regime, inmates spent most of their time watching television and had no organised activities or classes to structure their days. Inmates complained of being bored. For so long as the prison remains in operation, a full regime of purposeful activities and work opportunities should be put in place.

As for health-care provision, primary care services appeared satisfactory; however, there is a need to designate a single identifiable person who is responsible for the overall delivery of health care. Further, the current practice of distribution of medication is unsafe, risks giving the wrong medication to prisoners or omitting supervision of prescribed dosages at set times and breaches medical confidentiality; the CPT recommends that the distribution of medication be reviewed urgently.

The only life-sentenced prisoner in HMP Dhekelia lacked any structured sentence plan, had no opportunities to exercise personal responsibility in daily prison life, no prospect of progression, no regime tailored to his needs and there were no formal psycho-socio support mechanisms in place. The authorities should cease to hold prisoners serving life-sentences at HMP Dhekelia until the establishment is able to offer a proper regime including a tailored sentence-planning system, as well as the provision of adequate psycho-social support.

Military detention: British Forces Cyprus

The report outlines the pertinent regulations governing Service discipline and detention and examines the availability of key safeguards against ill-treatment for persons deprived of their liberty. The CPT notes that at the Cyprus Joint Police Unit (CJPU) Headquarters, no clear record exists of the exact location in which detained people had been held at all times; it recommends that the location and movements of all persons deprived of their liberty by the CJPU be fully recorded. The CPT’s delegation learned that one juvenile (and one young adult) had been detained for several days in the Service Custody Facility (SCF) in 2016, but there appeared to be no specific juvenile-centred approach or regime in place other than visitation by a welfare officer. The CPT considers that if, exceptionally, children have to be detained on military police premises, they should be held for no longer than 24 hours after which they should be transferred to a centre specifically designed for persons of this age, offering regimes tailored to their needs and staffed by persons fully trained in dealing with the needs of juveniles.

The CPT notes that the method of operation and staffing of the SCF with riflemen of the 1st Battalion, Duke of Lancaster regiment, is unusual, as most other such overseas facilities are staffed by dedicated and experienced detention personnel from the Military Provost Staff (MPS). It requests information about whether British Forces Cyprus intends to professionalise the staffing of the SCF. The material conditions were generally adequate for short stays but detained persons lacked access to an exercise yard and to a confidential setting to talk with their lawyers; these deficiencies should be remedied. Given that persons can be deprived of their liberty for up to 14 days at the SCF, the CPT considers that a regime should be developed, particularly for civilians subject to service discipline.