



## **Response**

### **of the Government of the United Kingdom to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to the United Kingdom Sovereign Base Areas on Cyprus**

**from 9 to 11 February 2017**

The Government of the United Kingdom has requested the publication of this response. The CPT's report on the February 2017 visit to the United Kingdom Sovereign Base Areas on Cyprus is set out in document CPT/Inf (2017) 37.

Strasbourg, 5 December 2017

## Index

<b>Abbreviations .....</b>	<b>4</b>
<b>Response to the CPT report of 28 July 2017 .....</b>	<b>5</b>
Paragraph 15:.....	5
Paragraph 16:.....	5
Paragraph 21:.....	5
Paragraph 25:.....	6
Paragraph 27:.....	6
Paragraph 29:.....	7
Paragraph 30:.....	7
Paragraph 32:.....	7
Paragraph 33:.....	7
Paragraph 35:.....	7
Paragraph 38:.....	8
Paragraph 39:.....	8
Paragraph 40:.....	8
Paragraph 41:.....	8
Paragraph 42:.....	8
Paragraph 43:.....	9
Paragraph 46:.....	9
Paragraph 47:.....	9
Paragraph 48:.....	9
Paragraph 49:.....	9
Paragraph 51:.....	10
Paragraph 52:.....	10
Paragraph 55:.....	10
Paragraph 56:.....	10
Paragraph 57:.....	11

Paragraph 61:.....	11
Paragraph 71:.....	11
Paragraph 72:.....	11
Paragraph 73:.....	11
Paragraph 74:.....	12
Paragraph 76:.....	12
Paragraph 77:.....	12
Paragraph 78:.....	12
Paragraph 80:.....	13
Paragraph 81:.....	13
Paragraph 82:.....	13
Paragraph 83:.....	13

## Abbreviations

CJPU	Cyprus Joint Police Unit
CPT	Council of Europe European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
ECHR	Council of Europe European Convention for the Protection of Human Rights and Fundamental Freedoms
ECPT	Council of Europe European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
ECtHR	Council of Europe European Court of Human Rights
HMP	Her Majesty's Inspectorate of Prisons
HMP	Her Majesty's Prison
HQ BFC	Headquarters British Forces Cyprus
MOD	Ministry of Defence
NPM	UK National Preventive Mechanism
OPCAT	United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
PACE	Police and Criminal Evidence Act 1984
PM(A)	Provost Marshal (Army)
PPE	Personal Protection Equipment
SBA	Sovereign Base Areas of Akrotiri and Dhekelia
SBAA	Sovereign Base Areas Administration
SCF	Service Custody Facility
UK	United Kingdom of Great Britain and Northern Ireland

## Response to the CPT report of 28 July 2017

### Paragraph 15:

**As regards the SBA Police Service, the CPT recommends that the UK and SBA authorities establish more regular independent oversight and monitoring of the SBA police stations.**

**In addition, the Committee recommends that regular independent monitoring is undertaken of the SBA Service Custody Facility (SCF) of the British Forces Cyprus. In this regard, it invites the UK authorities to consider extending arrangements that currently allow HMIP to visit UK SCFs to the SCFs of British Overseas Territories, including the SBA SCF.**

1. As the Committee saw during their visit to the SBA in February, the Administration takes its responsibility to detainees very seriously and welcomes the additional assurance and advice that such visits can provide. In addition to the CPT's own visit, Her Majesty's Inspectorate of Prison's also visited HMP Dhekelia in 2004, 2010 and 2013, and provided valuable advice on possible improvements to the facilities, which have since been implemented. The Overseas Territories Prison Advisor also visited the SBA in 2017. The SBA Administration is open to the potential for further independent oversight and will consult with authorities in the UK to identify an appropriate body who could undertake such a role in the future.
2. In terms of the monitoring of the SCF at Salamanca Barracks, this facility is inspected by the Provost Marshal (Army) on an annual basis in accordance with Departmental guidance. The most recent inspection of the BFC facility took place on 31 May 2017. The facility was awarded a full operating certificate, demonstrating full compliance with current Service regulations. The Provost Marshal is content the current inspection arrangements are rigorous and is also planning to roll out internationally an Independent Service Custody Visitor Scheme, through a third party, following its successful introduction in the UK. The CPT's recommendation to invite the HMIP to this facility is noted and it will be taken into consideration.

### Paragraph 16:

**In order to ensure that no place of deprivation of liberty under the responsibility of the United Kingdom is excluded from regular and independent monitoring, the CPT urges the United Kingdom authorities to consider extending OPCAT to all British Overseas Territories, including the SBA. In this respect, it recommends that the authorities adopt specific legislative powers for the mandate of the NPM of the United Kingdom, which should include the automatic right to visit all places of deprivation in the United Kingdom, as well as in British Overseas Territories and the SBA.**

3. The protection and promotion of human rights are primarily the responsibility of Overseas Territory governments, although the UK Government works with them to ensure they act in accordance with their international human rights obligations. Our longstanding policy to the extension of international human rights treaties to the Overseas Territories is set out in the 2012 White Paper "Overseas Territories: Security, Success and Sustainability", which is to encourage the extension of those treaties that the UK has ratified but only when the Territories are able to implement them. This is a reflection of the fact that most Overseas Territories are small islands or island groups that face resource and capacity constraints, which can affect their ability to consider or implement treaties. The UK Government therefore stands ready to support any territory that wishes to seek the extension of the OPCAT.

### Paragraph 21:

**The SBA Authorities should update the relevant prison legislation, in particular the Prison Ordinance and Prison Regulations in light of modern developments, as reflected in the United Kingdom prison law.**

4. All legislation in the SBA is kept under review, and is updated as and when required. The SBAA is confident that while current legislation in this area may include a small number of provisions of a historic nature, the way in which the provisions are applied in practice demonstrates cognisance of current best practice and sensitivity to the rights and reasonable expectations of the prisoners. As a result, we do not believe they have a negative or material impact on prisoner welfare. For example, the specific provisions raised in the CPT's report, that prisoners be required to shave regularly, are not enforced in recognition of subsequent developments in prison management.

5. As recommended by the CPT, the SBA Administration has included the relevant Ordinances and Regulations in its current legislative schedule to be updated. The timeline for doing so will depend on other competing pressures on legal staff and other priorities. In updating the legislation, the SBAA undertakes to liaise with the appropriate authorities in the United Kingdom to consider the inclusion of modern developments and best practice as reflected in United Kingdom legislation. In doing so, the SBA will, however, need to remain cognisant of its responsibility (as articulated Her Majesty's Government's voluntary declaration of 1960 regarding the Administration of the Sovereign Base Areas) to ensure "the laws applicable to the Cypriot population of the Sovereign Base Areas will be as far as possible the same as the laws of the Republic [of Cyprus]."

**Paragraph 25:**

**The CPT recommends that the 2007 Ordinance be amended to ensure that a detained person is afforded the right of access to another lawyer from the outset of their deprivation of liberty by the SBA Police whenever access to their own lawyer has been denied. Moreover, in the CPT's view, any delay to the right of access to a lawyer<sup>1</sup> should also require the authorisation of a judge or a magistrate. It recommends that the above-mentioned legislation be amended accordingly.**

6. The SBA Administration has considered this recommendation alongside the UK legislation and ECtHR case-law which the Committee has referred to. On consideration, the SBA Administration believes that its own legislation already complies with the principles set out in the relevant UK legislation, and the case law, both of which permit a delay in access to a lawyer in limited but compelling circumstances. Furthermore, neither requires such a delay to be authorised by a judge or magistrate. Nonetheless, the SBA Administration will review the Ordinance to ensure that it fully incorporates the appropriate safeguards as set out in the UK PACE Codes of Practice. However, it does not accept the recommendation that judicial oversight be introduced. The SBAA would like to place on record that they have no recent record of any detainee being denied access to appropriate legal advice under this provision.

**Paragraph 27:**

**The CPT recommends that 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 staff. Further, custody records should accurately reflect whether detained persons are systematically given information about access to a doctor and whether they have exercised this right.**

7. The SBA Administration accepts this recommendation. Where possible the police are invited to bring a detained person to the nearby medical facility to be examined, and this would be conducted within the normal consultation areas, without police escort, unless it was felt that there was any potential risk to the clinicians involved. On occasions where examination is expected to take place within the police station, again this would take place in a private room with the request for an interpreter to be present, if required, and not in police presence if it was felt forensically appropriate and safe for the clinicians. Medical examinations are not routinely conducted in either CJPU or SCF, and all such examinations are conducted within the Medical Centre at the military garrison.
8. All detainee medicals are recorded in an electronic integrated Health Record. This is the same system used for entitled UK personnel, and is fully compliant with UK Data Protection legislation and other relevant legislation, and cannot be accessed by non-medical staff. Examinations and treatments are only given if informed consent is gained from the patient; all this detail is currently recorded (and will continue to be recorded) in the contemporary notes within the patients integrated Health Record.
9. As recommended, the SBA Police have also amended their own processes to ensure that custody records are updated to record clearly whether information has been provided to a detainee about their right to access a doctor, and whether the detainee had exercised that right.

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<sup>1</sup> In line with *Ibrahim And Others v. the United Kingdom*, (Applications nos. 50541/08, 50571/08, 50573/08 and 40351/09), Grand Chamber judgment, 13 September 2016.

**Paragraph 29:**

**The CPT recommends that the SBA authorities end the current practice of detaining persons in police custody for prolonged periods, in the light of the above remarks.**

10. In practice, the SBA Police do not routinely hold individuals on remand for more than three days, and only in rare cases and in connection to serious offences would this happen. Suspects cannot be held for more than 24 hours without a Court order, and in all cases the initial authorisation is for a limited period (48-72 hours) in line with the CPT's recommendation. In those rare cases where a further period of remand is considered necessary, a further request to the court would need to be made. While the SBAA recognises that it is not desirable for those on remand to be held in police facilities for longer periods, it is content that there is sufficient judicial oversight to ensure this right is not misused, and that individuals have the opportunity to raise their concerns and objections with the court as part of that process.

**Paragraph 30:**

**The CPT invites the SBA authorities to review the design of the female shower area to ensure adequate privacy.**

**The CPT recommends that the cells at Dhekelia Police Station be comprehensively renovated or replaced, in order to provide detained persons with adequate conditions of detention.**

11. The SBAA will put in place steps to improve the design of the female shower area, and ensure that it is improved to provide greater privacy. More broadly, work is already underway to produce an improved design for Dhekelia Police Station, which will focus on a wide-ranging renovation of the current amenities at that facility, including the identification of a more appropriate accommodation for the prisoner cells. The timeframe for the delivery of these improvements will ultimately depend on available resources, but the SBAA undertakes to include this facility within its Capital Works Programme as a matter of priority.

**Paragraph 32:**

**The CPT requests further information regarding the availability in practice of these safeguards to persons held at "16 Flight" since January 2015, including copies of the custody records concerned.**

12. The SBA Administration will write separately to the CPT on this matter as requested.

**Paragraph 33:**

**The CPT would like to be informed of whether or not there is a legal basis for the deprivation of liberty in police custody of children and babies under the age of criminal responsibility and, more generally, to receive the comments of the SBA authorities on this subject.**

13. As the SBA Administration explained in their earlier response to the Committee, no individuals under the age of 16 were detained at 16 Flight during the period in question. A number of adults, who had been detained, chose to be accompanied by their children during their own short periods of detention, in the absence of other suitable arrangements to care for their children. None of those under the age of legal responsibility were "deprived of their liberty" and they were free to leave at any point should alternative arrangements have been made by their parents for their care. It was the decision of their parents and not an act of the SBAA authorities that led to them accompanying their parents to the temporary facility at 16 Flight. Special measures were taken to improve the facilities accordingly and to provide for their comfort and care. As part of this process the facility was inspected by social welfare experts and further adaptations made to provide for their care and support.

**Paragraph 35:**

**It recommends that it – and any similar facilities - be removed permanently from the list of "designated places of detention" and not re-opened as a place of detention for any person or for any reason.**

14. 16 Flight is not currently a designated detention facility, nor does the SBA currently have any other comparable facility currently designated for detention. The SBA Administration has noted the comments and concerns of the Committee, and will consider them carefully before any decision is taken to designate this or any other facility in the future. Nevertheless, it must be recognised that there is currently limited capacity within the designated facilities at HMP Dhekelia, and the Police Stations in Episkopi, Dhekleia and Ayios Nikoloas to provide for the safe detention of a large number of individuals, should it be required

in the event of widespread public disorder in the SBA. It may therefore be necessary for alternative, temporary arrangements to be put in place in the future if further capacity is required at short notice.

**Paragraph 38:**

**As a rule, prisons should be run by fully qualified specialist prison staff reporting into authorities that are separate from the police. In this respect, the CPT recommends that the SBA Administration conduct a full review, as recommended by HMIP in 2013, into whether HMP Dhekelia remains viable under its current model, as swiftly as possible, and requests that a copy of this review be sent to it, when completed.**

15. The SBA Administration accepts and recognises the importance of ensuring the prison is staffed by suitably qualified and capable individuals, and there is a mature and developed training programme in place to ensure those who work at the prison are aware and prepared for their duties and responsibilities. It is also important to ensure the size of the trained workforce is sufficient to manage a potential increase in prisoner numbers, and to ensure the integrity of the service is not undermined.
16. The SBAA is currently undertaking wide-ranging review of the delivery of its services across all areas of the organisation, including the potential for direct delivery of services by external organisations. The current provision of staffing and management of HMP Dhekelia is included within the scope of this review, which will include examining a number of options and potential models for future delivery of this service. Following the outcome of this review, a decision will be taken on the most appropriate and cost effective model to pursue in the future.

**Paragraph 39:**

**The CPT recommends that the use of “quick cuffs” in the prison be reviewed and that all handcuffs be applied in a correct manner. Moreover, handcuffs during escort should only be used on the basis of an individual risk assessment and not as a routine practice.**

17. The SBA Administration accepts this recommendation. The Deputy Superintendent of Prisons is currently undertaking a review, which will provide further, improved guidance and clarity on the circumstances and conditions under which restraints of this nature should be utilised, and on their use and operation.

**Paragraph 40:**

**The CPT recommends that female prisoners be systematically permitted daily access to the exercise yard next to the annex. It also recommends that the staffing situation is reviewed to ensure that inmates can make full use of the facilities in the annex.**

18. The SBA Administration accepts this recommendation, and the appropriate steps are being taken to implement the necessary changes, within available resources.

**Paragraph 41:**

**The CPT recommends that the cell for women that lacks a window be refurbished, including by fitting a window, as a matter of priority. It would also like to receive confirmation that the CCTV is not switched on in the cell on the female wing, unless an individualised risk assessment necessitates otherwise. In addition, all toilets should be provided with some privacy screening, especially considering that, in the event of over-capacity at HMP Dhekelia, prisoners may be held two to a cell.**

19. The SBA Administration accepts this recommendation, and steps are being taken to implement the recommended infrastructure improvements. The SBAA have also undertaken a risk assessment process regarding the use of CCTV in this area, and will ensure it is not switched on unless it is considered necessary.

**Paragraph 42:**

**The CPT recommends that HMP Dhekelia not be used to hold prisoners serving long-term (including life) sentences. It is also necessary to redesign the current facility in line with relevant international norms, including the European Prison Rules**

20. The SBA Administration would prefer not to hold prisoners serving long-term sentences at HMP Dhekelia for the entirety of their period of incarceration. Arrangements are already in place for Cypriot nationals to



request to serve their sentences at the larger prison in the Republic of Cyprus should they wish to do so. Cypriot nationals account for the majority of those individuals likely to be detained at HMP Dhekelia. For those small numbers of individuals who are not entitled transfer, including one current individual at the prison, the SBAA are currently in discussion with the UK and others to identify a more appropriate facility for them to serve the majority of their sentence.

**Paragraph 43:**

**The CPT recommends that a full and varied regime of purposeful activities and work opportunities be put in place for all prisoners.**

21. Following the CPT's visit in February 2017, the SBA Police have consulted with the UK Overseas Territories Prison Advisor to review rehabilitative activities at HMP Dhekelia. They will then work with the SBA Administration to identify an effective and affordable regime that meets the needs of the prison's small and varied population.

**Paragraph 46:**

**The CPT recommends that one medical doctor be made responsible for the overall coordination of treatment of individual prisoners.**

22. The SBA Administration accepts this recommendation. The Senior Medical Officer at the nearby Dhekelia Garrison has since been nominated as the individual responsible for the overall coordination of treatment for individual prisoners. This requirement will also be included in the review described in the response to the Committee's comments at paragraph 38 of their report.

**Paragraph 47:**

**The current practice of distribution of medication is unsafe and risks giving the wrong medication to prisoners or omitting supervision of prescribed dosages at set times. The CPT recommends that distribution of medication be reviewed as a matter of urgency. The current distribution practice also breaches the principle of medical confidentiality. Further, police officers should not be responsible for preparing the prisoners' medication; this should be undertaken by medical staff. Moreover, information on whether prisoners have actually taken the prescribed dosages should be accurately recorded.**

23. Since the CPT visit in February 2017, the medicine management policy in place at HMP Dhekelia has been reviewed and is currently being re-written. Several key steps have been taken to improve medicines management, including the intended introduction of dosset boxes for distribution of medications, individualised risk assessments for in-possession medication and the tighter regulation of medications being prescribed for shorter periods of time. A model similar to that already in place in the UK's Military Corrective Training Centre in Colchester is being introduced and enforced. Following the conclusion of this work in the next few months, the SBA Administration is confident that the revised prison medicines management policy will improve confidentiality and reduce the risk to as low as reasonably practicable.

**Paragraph 48:**

**The CPT recommends that police officers working as guards in HMP Dhekelia should not have access to the inmates' medical files and should only be informed about medical issues of inmates on a need to know basis and with the consent of the prisoner. Without consent, only information necessary to prevent an imminent danger to the prisoner or others should be conveyed to the guards on duty.**

24. This observation is incorrect. Prison officers do not have access to the integrated Health Record of the prisoners – these are stored electronically on a secure medical information system, to which only medical staff have access. When necessary to best meet prisoner's needs, medical staff may issue medical instructions with prison staff. These are fully compliant with Caldicott guidelines and the UK Data Protection Act 1998. Further information will only be shared on an individualised basis with the consent of the prisoner.
25. We are aware that during the visit, the CPT saw some personal correspondence that had been completed by consultants that the prisoners had chosen to see privately. It has since been emphasised to all Prison Officers that all medical correspondence should be forwarded to the medical authorities to be placed on file and no letters are to be kept at the prison.

**Paragraph 49:**

**The CPT recommends that medical records be fully completed with thorough and accurate information and properly maintained.**

26. This observation is incorrect. All medical records are independent of, and separate to, the prison. They are maintained electronically to the same standard as required by the UK Governing Bodies. The notes inspected by the CPT delegation were those notes of instruction for the Prison staff – not the actual medical records of the inmates, and this accounts for their incomplete nature. Such notes only contain the basic details necessary to inform prison officers of the information required to ensure the required adjustments are made to the handling of that prisoner for their safety and that of the prison officers.

**Paragraph 51:**

**The CPT recommends that the “PPE” be stored in a specially-designated locked area.**

**The CPT recommends that a special register be introduced at HMP Dhekelia to record all cases in which recourse is had to means of restraint (including manual and chemical restraint, as well as use of “PPE”); the entries should include the times at which the measure began and ended, the circumstances of the case, the reasons for resorting to the measure, the name of the person who ordered or approved it, and an account of any injuries sustained by the prisoner or staff.**

27. The SBA Administration accepts this recommendation. Steps have been taken by the Deputy Superintendent of Prisons to improve the storage of such equipment, and a new process will be introduced governing the application of such restraints, including maintaining appropriate documentation to record their usage.

**Paragraph 52:**

**The CPT recommends that steps be taken to ensure that disciplinary punishment of prisoners does not include a total prohibition of family contacts and that any restrictions on family contacts as a form of punishment should be used only where the offence relates to such contacts; and recommends that the UK and SBA authorities amend the relevant provisions of the Prison Ordinance and Regulations, as well as any other relevant legislation accordingly.**

28. The SBA Administration will ensure this legislation is updated along with other wider, prison related legislation in response to the Committee’s recommendation at paragraph 29 of the CPT’s report. In the meantime, direction will be given by the Deputy Superintendent of Prisons to staff discontinue this practice with immediate effect.

**Paragraph 55:**

**The CPT recommends that the UK and SBA authorities cease to hold prisoners serving life-sentences at HMP Dhekelia until such time as the establishment is able to offer a proper regime; this should include, in particular, the adoption of a tailored sentence planning system that enables progression throughout the sentence, as well as the provision of adequate psycho-social support. The CPT would like to be informed, as soon as possible, of the action taken to implement the preceding recommendation.**

29. As explained in the response to the recommendation at paragraph 42, the SBA Administration would prefer not to hold long-term prisoners at HMP Dhekelia for the full duration of the sentences, and are actively working with the UK government and others to identify alternative arrangements.

**Paragraph 56:**

**The CPT welcomes the recently installed facilities for Voice over Internet Protocol at the prison and encourages the SBA authorities to proactively give inmates information about the existence of these facilities upon their arrival and to ensure that all inmates have regular access to them.**

30. This recommendation is accepted and steps have been taken since the CPT’s visit to improve the information provided to inmates at the prison about the facilities available to them and on their use.

**Paragraph 57:**

**The CPT recommends that a formal complaints policy, including a right of appeal, should be drawn up and information about this policy systematically given to prisoners on admission, in a language that they understand. Further, confidentiality of inmates' complaints should be guaranteed (i.e. with a locked complaints' box). In all cases, prisoners should be informed in writing within clearly defined time periods of the action taken to address their concern or of the reasons for considering the complaint not justified.**

31. This recommendation is accepted. Since the CPT's visit in February 2017, steps have already been taken to review the current complaints system and practice in place at HMP Dhekelia, with an aim to introduce a new complaints management system in the near future. We expect this change will address the CPT's recommendation.

**Paragraph 61:**

**The CPT would like to receive a sample of detention orders and custody records over the two periods of deprivation of liberty within the Transit Facility.**

32. The SBA Administration will write separately to the CPT on this matter to provide the information they have requested.

**Paragraph 71:**

[...] As concerns persons detained for Commanding Officer's Investigations, Annex A to the DIN<sup>2</sup> provides simply that: "If you are arrested, you may have one person notified of your arrest and where you are being held." The CPT would like to receive further information about the application in practice of this provision and, in particular, whether there is any possibility exceptionally to delay its exercise and, if so, under what conditions.

33. There is no additional MOD or single service guidance regarding how the right to have someone notified of the arrest is applied in practice. If a serviceman is arrested by a member of their unit for a Commanding Officer's investigation, they should be afforded their rights as soon as practicable in accordance with the Manual of Service Law and they will be handed a booklet entitled 'Your rights if you are accused of an offence'. Unlike the Service Police Codes of Practice, there is no provision within the Manual of Service Law to delay the right to have somebody notified. If there are complexities in the case which would give the Commanding Officer cause to consider delaying the right to have someone notified of the arrest, they may deem it more appropriate for the offence to be investigated by the Service Police, in which case, it should be referred as soon as possible and the Service Police can, in certain circumstances, delay the right for a short period, in line with their Code of practice, the provisions of which the CPT welcomed in their report.

**Paragraph 72:**

**The CPT recalls that, other than in exceptional circumstances when the matter is urgent, whenever a detained person has made a request to have a lawyer present, police officers should delay the beginning of the questioning until the arrival of the lawyer.**

34. Interviews are not conducted without the person being advised of the right to legal advice and this fact recorded.

**Paragraph 73:**

**The CPT would like to be informed whether there are any possibilities exceptionally to delay the exercise of the right to legal advice and, if so, under what circumstances.**

35. In accordance with the Manual of Service Law, if an individual is arrested or kept in custody, they are entitled to receive legal advice. As in the response to the comments in response to the CPT's earlier query, (at paragraph 71 of the CPT's report), there is no additional MOD or single service policy regarding how this right should be applied and unlike the Service Police Codes of Practice, there is no provision within the Manual of Service Law for a Commanding Officer to delay the right to legal advice.

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<sup>2</sup> Defence Instruction and Notice DIN01-115 of 2 June 2014.

**Paragraph 74:**

**The CPT would like to receive further information about the operation in practice of this right and, more particularly, to be informed of whether people subject to Commanding Officer's Investigations may also be examined by a medical practitioner of their own choice at their expense<sup>3</sup>.**

36. There is no additional guidance concerning the practical application of an individual's right to be examined by a Medical Practitioner other than if an individual requests to see a Medical Officer, suitable arrangements must be put in place as soon as practicable to provide the individual with the level of medical assistance they need. There is no policy which states that an individual cannot be examined by a medical practitioner of their own choice at their own expense. Should a prisoner see a private practitioner, this is facilitated by, and undertaken in, the medical centre whenever operationally practicable.

**Paragraph 76:**

**The CPT recommends that the location and movements of all persons deprived of their liberty by the CJPU be fully and accurately recorded and the custody (and use of restraints') records at the SCF be accurately maintained.**

37. Following the CPT's visit, the records of restraints policy in place within the CJPU has been reviewed with new guidance adopted by CJPU staff.
38. The records held within CJPU in various arrest documentation and that held in the SCF do provide an end-to-end timeline for the whereabouts of detainees at all times. While it is accepted there is no single document source for this information, the evidence is available and can be brought together if required.

**Paragraph 77:**

**The CPT would like to be informed by the British Forces Cyprus of the number of complaints received for 2016 and the first half of 2017, what these complaints pertained to and what action was taken. Further, this complaints' collection model lacks an element of confidentiality and the CPT recommends that confidentiality of detained persons' complaints might be better ensured if, instead, a representative of the Commandant came directly to regularly verify and/or collect complaints from the SCF.**

39. The military police authorities have received no complaints from detainees held at the SCF during the past 18 months. Battalion Orderly Officers visit every person held within the facility on a daily basis where part of the question set is "Do you have any complaints regarding your treatment in the SCF". Any civilians subject to service discipline would be visited in accordance with the same process, and would be afforded the opportunity to comment on their treatment within the SCF.

**Paragraph 78:**

**The CPT recommends that all juveniles deprived of their liberty for longer than 24 hours should be held in detention centres 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 juvenile detainees and other detainees at risk.**

40. All Service Personnel manning the SCF are qualified to administer juveniles held within the SCF. All personnel have completed the All Arms Custody Staff Course. The course syllabus includes preparing personnel for dealing with child protection issues involved in safely detaining juveniles. In all cases where juveniles are detained at the SCF, even for short periods, the BFC social services provide direct support and are able to discuss any concerns or advice about their care directly with those staffing the facility. If they are not content with the steps taken in response, they can also raise these issues with senior members of the British Forces Cyprus command.
41. In the majority of cases individuals, including juveniles, will only be held at the SCF for short periods before either being released on remand or, in more serious cases, returned to the UK to be detained in more extensive facilities. Given that most will only be held at the SCF for a short period, we believe the current design provides an appropriate and proportionate facility for this purpose.

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<sup>3</sup> As is permitted in the Service Police Investigations' context, paragraph 6.11 of the Service Police Codes of Practice.

**Paragraph 80:**

**The CPT would like to know if and when the authorities of the British Forces Cyprus intend to professionalise the staffing of the Service Custody Facility at Salamanca Barracks.**

42. The Service Custody Facility is manned by Suitably Qualified and Experienced Personnel who have been appropriately trained for the roles they undertake, although it is acknowledged that they are not Military Provost Staff (MPS), who manage such facilities elsewhere. A submission will be made to request consideration to permanently assign a member of the MPS from the UK to the SCF facility.

**Paragraph 81:**

**The CPT recommends that the authorities of the British Forces Cyprus convert the space between the custody building and the SCF administrative rooms to provide a formal outside exercise yard to which detainees should be offered daily access.**

43. Service personnel held within the SCF are provided an opportunity to travel to the nearby Garrison gymnasium on a daily basis, which provides extensive access to a wide range of exercise and equipment. On this basis, it is not considered necessary for further structural changes to be made to the SCF to meet a requirement which is met to a higher standard through alternative arrangements. Any civilians subject to service discipline (including juveniles) would be afforded the same opportunities to exercise outside of the SCF on a daily basis.

**Paragraph 82:**

**For the purposes of maintaining lawyer-client confidentiality, the CPT recommends that a different form of ventilation is found and that the existing grille in the SCF's visiting room wall be covered.**

44. This recommendation is accepted. An alternative room will be identified by Custody Staff in which to hold such meetings ensuring that lawyer-client confidentiality is maintained at all times.

**Paragraph 83:**

**The CPT recommends that additional regime activities be developed at the SCF, in particular for civilians subject to service discipline.**

45. The military police authorities have carefully considered the CPT's recommendation. As a result, they consider the current facility is suitable and the regime activities offered to all detainees is sufficient, given the limited periods of time individuals are routinely held in the facility, which does not normally exceed 48-72 hours.