



CPT/Inf (95) 5

**Report to the Swedish Government
on the visit to Sweden
carried out by the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)
from 23 to 26 August 1994**

The Swedish Government has requested the publication of this report.

Strasbourg, 3 April 1995

**Report to the Swedish Government
on the visit to Sweden
carried out by the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)**

from 23 to 26 August 1994

TABLE OF CONTENTS

	<u>Page</u>
Copy of the letter transmitting the CPT's report.....	5
I. INTRODUCTION.....	7
A. Dates of the visit, composition of the delegation and establishments visited.....	7
B. Context of the visit to Sweden.....	7
C. Consultations held by the delegation.....	8
D. Co-operation with the delegation	8
II. FACTS FOUND DURING THE VISIT TO STOCKHOLM REMAND PRISON AND ACTION PROPOSED.....	9
A. Introductory remarks.....	9
B. Kronoberg Remand Prison	9
1. Material conditions of detention.....	9
2. Regime activities	11
3. Restrictions	13
4. Discipline.....	16
5. Persons detained under aliens legislation.....	17
6. Food.....	17
C. The Huddinge unit	18
D. Medical questions.....	19
1. Staff and facilities.....	19
2. Psychiatric services	19
3. Medical records	20
APPENDIX :	
AUTHORITIES WITH WHOM THE CPT'S DELEGATION HELD CONSULTATIONS	21

Copy of the letter transmitting the CPT's report

Strasbourg, 23 March 1995

Dear Sir,

In pursuance of Article 10, paragraph 1, of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment, I have the honour to enclose herewith the report to the Government of Sweden drawn up by the European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) after its visit to Sweden from 23 to 26 August 1994. The report was adopted by the CPT at its twenty-fourth meeting, held from 13 to 17 March 1995.

The CPT requests the Swedish authorities to provide a report within six months, informing the Committee of the action taken to implement the recommendations set out in the present report and providing reactions and replies to the comments and requests for information made therein.

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Finally, I would be grateful if you could acknowledge receipt of this letter.

Yours faithfully,

Claude NICOLAY
President of the European Committee for
the prevention of torture and inhuman
or degrading treatment or punishment

Mr Harald FÄLTH
Assistant Under-Secretary
Ministry of Foreign Affairs
Box 161 21
S - 103 23 STOCKHOLM

I. INTRODUCTION

A. Dates of the visit, composition of the delegation and establishments visited

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 a visit to Sweden from 23 to 26 August 1994.

2. The delegation consisted of the following Committee members:

- Mr Rudolf MACHACEK, (Head of the Delegation);
- Mr Tonio BORG;
- Mr Günther KAISER;
- Ms Ingrid LYCKE-ELLINGSEN.

The delegation was assisted by:

- Ms Linda SCHENCK (interpreter);
- Ms Annica ÖSTLUND (interpreter).

The delegation was also accompanied by Mr Mark KELLY, a member of the CPT's Secretariat.

3. The delegation visited Stockholm Remand Prison - including the main building (Kronoberg) and a recently-opened satellite unit at Huddinge (situated some 20km from the main site, located within the same premises as the psychiatric unit of a large general hospital).

B. Context of the visit to Sweden

4. The visit to Sweden was one which appeared to the CPT "to be required in the circumstances" (cf. Article 7, paragraph 1, of the Convention).

5. The Committee carried out a periodic visit to Sweden from 5 to 14 May 1991. In its report on that visit, the CPT was critical of a number of features of the conditions under which prisoners on remand were held in Stockholm Remand Prison. The Committee has since pursued an ongoing dialogue with the Swedish authorities on those matters - a dialogue which has been facilitated by the submission to the Committee of a response and follow-up report by the Swedish Government¹.

In the period since submission of the follow-up report from the Swedish Government, the CPT has, nevertheless, continued to receive information which suggests that conditions in Stockholm Remand Prison had not improved to the extent which the Committee would have wished. Given that Sweden was not one of the countries selected to receive a periodic visit in 1993 or 1994, the CPT decided to carry out a short visit of a follow-up nature to that establishment, in order to make an assessment of the progress which had been made in implementing its earlier recommendations.

C. Consultations held by the delegation

6. The delegation held consultations with senior officials of the National Prisons and Probation Administration and with the Director of Stockholm Remand Prison. The delegation also met other persons with an interest in matters which fall within the CPT's mandate, including a defence lawyer, public prosecutors and a judge. A full list of the authorities with whom the delegation held consultations is set out in the Appendix to this report.

D. Co-operation with the delegation

7. The talks which the CPT's delegation held with officials of the National Prisons and Probation Administration both at the outset and at the end of the visit were conducted in a spirit of full co-operation.

As had been the case in 1991, the delegation was very well received at Stockholm Remand Prison and offered every facility necessary for it to carry out its task.

The Committee also wishes to record its gratitude for the considerable assistance rendered to its delegation by the CPT's liaison officer, Mr Harald FÄLTH.

¹ The CPT's report was published on 12 March 1992, with the agreement of the Swedish authorities, under reference CPT/Inf (92) 4. The response and follow-up report from the Swedish Government have also been published on, respectively, 1 October 1992 and 15 March 1993 (documents CPT/Inf (92) 6 and CPT/Inf (93) 7).

II. FACTS FOUND DURING THE VISIT TO STOCKHOLM REMAND PRISON AND ACTION PROPOSED

A. Introductory remarks

8. The main section of Stockholm Remand Prison (Kronoberg) consists of the top four floors of a multi-storey block, close to the city centre. The 6th floor houses the establishment's health care centre and floors 7 to 9 provide prisoner accommodation. The outdoor exercise facilities, weight-training room and kitchen are located on the roof level (or "10th floor"). At the time of the visit, two of the fifteen accommodation units in the main prison were closed for renovation work, which had reduced the establishment's capacity from 305 to 265 single cells. On the first day of the visit, 248 prisoners were being held, of whom 176 were on remand.

The new unit at Huddinge has a capacity of 14 inmates and, when visited, was holding 12 remand prisoners.

B. Kronoberg Remand Prison

1. Material conditions of detention

9. In the report on the CPT's first visit to Sweden, the Committee expressed the view that very poor ventilation and inadequate window screening arrangements marred the otherwise acceptable material conditions in the cells at Kronoberg Remand Prison. It recommended that steps be taken without delay to improve the ventilation and that the cell window screening arrangements be reviewed, preferably to enable prisoners to cover and uncover the windows at will (cf. paragraphs 42 to 45 of document CPT/Inf (92) 4).

The follow-up report from the Swedish Government indicated that, in January 1993, the National Board of Public Buildings had been requested to plan and carry out the rebuilding and renovation of Kronoberg Remand Prison, including the ventilation system, at a total cost of 38 million Swedish crowns. It added that "the installation of a device which allows prisoners to adjust the admission of light into the cells themselves" would begin in March 1993.

10. During its visit in August 1994, the CPT's delegation learned that the above-mentioned renovation work had begun only a few weeks earlier. As a result, work had been completed in only two of the fifteen accommodation units (units 9(4) and 9(5)) and one other unit (9(3)) had been closed for renovation. Only one of the two completed units had been brought back into service as prisoner accommodation. According to the work schedule seen by the delegation, a further nine units were due to be renovated by the end of 1994 and the work was to be completed by the end of February 1995.

The delegation was impressed by the quality of the completed renovation work. The ventilation system had been overhauled by cleaning the ducts and removing redundant baffle plates - producing a marked improvement in both the air quality and airflow in the cells. The staff-operated venetian blinds had been raised and new blinds, which could be controlled from inside the cells, had been fitted between the double-glazing of the cell windows. The overall result was to render the cells much more light and airy - an improvement which was greatly appreciated by the prisoners held there.

11. The CPT's report on the 1991 visit was also critical of the arrangements for outdoor exercise at Kronoberg. The rooftop pens in which prisoners took exercise alone were described as a "grim and depressing facility".

The follow-up report from the Swedish Government referred to plans to remove 20 of the 40 small (9m²) pens and replace them with two exercise yards of 90m² each (for the use of 10 prisoners at a time) and one yard of 30m² (for the use of five persons at a time). Further, all of the yards were to be provided with a view of the rooftops of Stockholm.² At the time of the visit, the above-mentioned rebuilding work had not begun. The Director of the prison indicated that he hoped that work would begin in September/October 1994 and be completed by February/March 1995.

Whilst the creation of larger yards for collective exercise is to be welcomed, it became apparent that those facilities will only be available to remand prisoners who are not subject to restrictions. For prisoners with restrictions, the changes proposed are far less significant (slight enlargement of the pens and the addition of a view of Stockholm) and fail to meet the core of the CPT's 1991 recommendation that all of the exercise areas should be "sufficiently large to allow prisoners to exert themselves physically".

The CPT recommends that the planned changes to the rooftop exercise areas at Kronoberg be revised in order to ensure that all prisoners are offered exercise in areas which are large enough to enable them to engage in strenuous physical exercise.

12. More generally, whilst the Committee is pleased that structural work is underway to implement its recommendations, it is somewhat disappointing that, more than three years after its first visit, so little work had been completed. **The Committee recommends that serious efforts be made to ensure that the target date for the completion of the renovation work is respected.**

² cf. page 9 of the follow-up report from the Swedish Government (CPT/Inf (93) 7).

2. Regime activities

13. The regime activities which were offered to prisoners in Kronoberg Remand Prison at the time of the 1991 visit were characterised by the Committee as "manifestly unsatisfactory". The CPT's delegation had found that the vast majority of prisoners spent almost all their time locked in their cells, subject to a regime "more akin to that of a police station than of a prison establishment". The Committee recommended that, as a matter of urgency, steps be taken radically to improve the regime activities available (cf. paragraphs 54 to 62 of document CPT/Inf (92) 4).

In their response, the Swedish authorities stressed that the existing premises placed physical constraints upon the out-of-cell activities which could be offered to prisoners. In this respect, the follow-up report from the Swedish Government outlined plans to build groupwork rooms on each of the three accommodation floors of the main prison and to provide two small gymnasium rooms for the use of prisoners subject to restrictions imposed by the public prosecutor.³

The CPT took note of these developments and has made clear its view that, whilst it was conscious that it would be difficult to provide an adequate programme of activities within the confines of the existing premises, efforts to build a satisfactory regime should extend beyond the construction of additional meeting rooms for prisoners⁴.

14. In the course of the second visit, the delegation noted that there had been some modest improvements in the group association activities offered to prisoners on remand.

Two of the three groupwork rooms referred to in the follow-up report were in regular use. The room on the 9th floor measured some 120m² and contained a table and chairs, armchairs, a television and other audio-visual equipment, as well as musical instruments and games. It was used once a week for groups of up to six prisoners, who met with prison staff and social workers in an informal atmosphere. Staff spoken to told the delegation that they hoped to expand the group size to eight to twelve persons per session. The groupwork room on the 8th floor was used for educational activities (cf. paragraph 15) and there were plans to use the similar room on the 7th floor as from September 1994, once a staff training programme has been completed.

Groupwork activities were based around the reorganisation of the work of prison officers into teams, each team having responsibility for an identifiable group of inmates in a given unit. The delegation was told by senior staff that it was hoped that one benefit of this arrangement would be to encourage staff to develop their communication skills. The possession of such skills was considered to be an essential prerequisite to greater staff involvement in organising and supervising additional regime activities.

³ cf. pages 22-23 of the response of the Swedish Government (CPT/Inf (92) 6) and page 8 of the follow-up report from the Swedish Government (CPT/Inf (93) 7).

⁴ cf. paragraph 12 of the CPT's "preliminary observations" on the Swedish Government's response, as set out in the Appendix to the follow-up report from the Swedish Government.

15. As regards education, the 8th floor groupwork room was used by a team of teachers, including a study leader (who worked for the National Prisons and Probation Administration) and four community teachers. In 1993, a total of 1,400 teacher hours were provided and in 1994 the allowance had been increased to 1,800 teacher hours.

Swedish, English, Mathematics and job-seeking skills were taught to a group of between 7 and 10 prisoners, for 14 to 16 hours per week. Since prisoners follow all four subjects, no more than 7 to 10 inmates receive formal education at any one time. The delegation was told that, in any given year, a total of only some 200 inmates take part in education, out of an annual turnover of some 8000 prisoners.

16. In respect of facilities for sport, it should be noted that, in August 1993, a small exercise room for the use of prisoners subject to restrictions had been opened on the 9th floor. It measured some 20m² and contained an exercise bike, a weights machine and a climbing frame. A small number of persons under restrictions used the room alone for one hour on every second day. Similar use was made of a smaller (8m²) room on the 8th floor, which contained an exercise bike and wall bars.

17. The establishment's main weight training/ exercise room was located on the 10th floor (the roof level) and contained a good selection of exercise equipment - a bench press and a selection of free-, and wire-weights; a power jogging machine and two exercise bikes. The planned expansion of these facilities by constructing a new table tennis room (to which reference was made in the Swedish Government's follow-up report) had not yet been started. It is hoped that the new room will be complete by the end of 1994.

The gymnasium was used by around 50 inmates per week, the great majority of whom were prisoners who were not subject to restrictions imposed by the public prosecutor. Some 7 to 8 inmates with restrictions did use the gym, having successfully requested that the prosecutor relax restrictions. In addition, the sports staff on occasion asked the prosecutor to allow certain prisoners with restrictions to take part in supervised exercise or training. Those on remand without restrictions could take part in up to two 75 minute training sessions per week and those with restrictions in one session per week.

18. A very limited number of workplaces were available - up to 12 remand prisoners who were not subject to restrictions were employed making novelty items for an outside company, in two small work rooms on the 8th and 9th floors.

19. To sum up, the CPT's delegation saw some signs of the development of new regime activities in Kronoberg Remand Prison. However, even taking into account the improvements identified above, the activities available still fall far short of meeting the CPT's original recommendation that prisoners should be able to spend a reasonable part of the day (i.e. eight hours or more) outside their cells, engaged in purposeful activity of a varied nature. In fact, at best, remand prisoners who were not subject to restrictions might be out of their cells for an average of three to four hours per day. For the some 45% of the remand population who were subject to restrictions, out-of-cell time (excluding outdoor exercise) was unlikely to exceed three to four hours per week. As a result, even though Kronoberg holds around 250 prisoners, it remains an eerily silent establishment at most times of the day.

20. In the view of the CPT, the provision of a regime of the kind envisaged by the Committee depends closely upon securing a reduction in the number of prisoners being held under restrictions. Not only are such prisoners personally subject to very restrictive conditions, but their presence in such high numbers inevitably impacts upon the regime which can be offered to the other prisoners accommodated within the same, constricted, living space. The Committee's recommendations on the subject of the imposition of restrictions (cf. paragraph 27) should therefore be regarded as an additional tool with which to forge an enhanced regime in Kronoberg.

That said, the CPT believes that certain improvements could already be made as regards out-of-cell time, especially for prisoners who are not subject to restrictions. As an example, the existing design of the establishment could be adapted without difficulty to provide areas within which prisoners not subject to restrictions could circulate more freely. In this respect, the Committee believes that the reorganisation of the work of prison officers (to which reference was made in paragraph 14) has a potentially important role to play. Properly-trained officers who are directly responsible for an identifiable group of inmates in a given unit will be in a good position to maintain order and discipline, even if the inmates concerned were to be allowed to associate with each other within the confines of the unit concerned.

The Committee recommends that a very high priority continue to be given to improving the regime activities at Kronoberg Remand Prison - those improvements to include measures designed to increase substantially the out-of-cell time offered to prisoners, together with additional efforts to provide inmates with access to purposeful group association activities, education, sport and work with vocational value.

3. Restrictions

21. The issue of the application by public prosecutors of restrictions upon contact between remand prisoners and other persons has figured prominently in the ongoing dialogue between the CPT and the Swedish authorities. In the period following the Committee's 1991 visit, the former Parliamentary Ombudsman, Mr Anders Wigelius, completed a review of the conditions of detention in remand prisons, with the express aim of seeking to improve the opportunities for prisoners to have contact with other persons. Mr Wigelius proposed that the decision as to whether restrictions should be imposed should rest with a court, rather than with the public prosecutor. This proposal became law on 1 January 1994, in the form of a new section (chapter 24, section 5a) in the Code of Judicial Procedure, which reads as follows:

"If the court decides that there is cause for detention of a suspect or prescribes that a suspect shall continue to be held in detention, and if the prosecutor so requests, the court shall also examine at the same time the question of whether the detainee's contacts with the outside world should be restricted. Permission to institute such restrictions may only be granted if there is a risk that the suspect will remove evidence or hinder investigation of the case in some way."

It should be noted that, although the decision as to whether restrictions should be imposed now rests with the court, the decision as to which restrictions should be imposed, the length of time for which they should be applied and whether they should be varied remains vested in the public prosecutor. The decision of a court to impose restrictions may be the subject of an appeal to a higher court; however, restrictions on contacts actually imposed by the public prosecutor, pursuant to the court's decision, cannot be the subject of such an appeal. It remains the case that the imposition of restrictions *per se* can be raised in the context of the fortnightly review by the court of the necessity to continue to remand a prisoner in custody.

22. In the course of the second visit to Sweden, the CPT's delegation raised the issue of the imposition of restrictions in discussions with prisoners and prison staff; a defence lawyer; public prosecutors; a judge and Mr Anders Wigelius. A clear picture emerged of the operation in practice of the new court-sanctioned system.

Firstly, it should be noted that a considerable proportion of prisoners continue to be held under restrictions. Of the 176 remand prisoners being held in Kronoberg on the first day of the visit, some 80 (or 45% of the population) were subject to restrictions. According to the Director of Kronoberg, the proportion of remand prisoners held under restrictions continued to fluctuate between 45 and 50%.

Secondly, it remained the case that restrictions could be applied throughout the whole period of arrest and remand in custody and, in some cases, after conviction, if the person lodged an appeal. The delegation met two prisoners in the latter position - one who had been subject to restrictions for 17 months and the other for 20 months. In both cases restrictions on visits, letters and contact with other prisoners had been in place since the time of their arrest.

Thirdly, there had been little, if any, change in the pattern of restrictions applied - the most common remained those on letters, visits, telephone calls and contact with other prisoners. The prohibition of access to newspapers, radio and television remained comparatively rare. It emerged from the delegation's discussions with a defence lawyer, public prosecutors and a judge that it was very uncommon for a public prosecutor's request for restrictions to be refused by a judge. It was also said that there had been few, if any, appeals against court decisions to allow a public prosecutor to impose restrictions. This was apparently because defence lawyers had little confidence that such decisions would be overturned by a higher court.

23. Of course, at the time of the visit, the new provisions had been in force for only eight months and it may well take some time for their effects to percolate through the criminal justice system. Nevertheless, it appeared that, at the time of the visit, the shift to a system of court-sanctioned restrictions had had only a minimal impact on the number of persons on whom restrictions were imposed, and little or no impact on the nature of the restrictions involved or the length of time for which they might be applied.

24. In the report on its first visit, the Committee made a number of recommendations designed to ensure that a balance was struck between the requirements of a criminal investigation and the imposition of restrictions, which is a step which can have very harmful consequences for the person concerned. The CPT recommended, in particular, that the imposition of restrictions on a remand prisoner's contacts with other persons and the prolongation of such a measure be resorted to only in exceptional circumstances and strictly limited to the actual requirements of the case. Given that almost half of the remand prisoners at Kronoberg remain subject to restrictions, it is difficult to escape the conclusion that this recommendation has not been met.

25. The Committee also recommended that a decision to impose restrictions be reviewed at regular intervals and subject to appeal to an independent body. It is clear that the new system of court-sanctioned restrictions does not effectively enable the particular restrictions which a public prosecutor may choose to apply to be challenged before an independent body. Moreover, it is apparently unusual for the decision on the imposition of restrictions *per se* to be reversed in the context of the fortnightly court hearings on the continuation of remand in custody. Further, it remained commonplace for public prosecutors to apply restrictions throughout the whole of a person's period of remand in custody.

26. Reference should also be made to the Committee's recommendation that the reasons for imposing restrictions be set out in writing and that, unless the requirements of the investigation dictate otherwise, prisoners be informed of those reasons. In practice, the only information given to prisoners on this subject is a one page form on which ticks have been placed in boxes which correspond to the (pre-printed) restrictions which are to be applied to them. The form contains neither the reasons for the court's decision to impose restrictions, nor an explanation of the public prosecutor's choice of particular restrictions.

27. The CPT can only conclude, from all of the evidence at its disposal, that the current system in Sweden still does not strike a proper balance between the needs of a criminal investigation and the imposition of restrictions, and that it fails to accord a number of important safeguards to persons on whom restrictions are imposed. Accordingly, **the CPT recommends that urgent steps be taken to ensure that:**

- **public prosecutors are reminded that permission to impose restrictions should only be requested when this is strictly necessary in the interests of the criminal investigation;**
- **in requesting the permission of the court to impose restrictions, public prosecutors are obliged to specify the particular restrictions which they intend to apply;**

- **on every occasion when the question of whether to impose, continue or vary restrictions is raised, the reasoned grounds for the decision which results are recorded in writing and, unless the requirements of the investigation dictate otherwise, the prisoner is informed of those reasons;**
- **in considering whether restrictions ought to be applied, courts take due account of whether the particular restrictions requested by a public prosecutor are proportional to the needs of the criminal investigation concerned;**
- **prisoners have an effective right of appeal to a Court or another independent body in respect of particular restrictions applied by a public prosecutor;**
- **in the context of each fortnightly review of the necessity to continue remand in custody, the question of the necessity to continue to impose restrictions is considered as a separate issue.**

4. Discipline

28. The CPT raised the issue of the absence of a formal disciplinary procedure for remand prisons in the report on its first visit. The response and follow-up reports from the Swedish Government made clear that, in the view of the National Prisons and Probation Administration, the situation in remand prisons does not justify the need for a special disciplinary system.

The delegation's on-site observations in Kronoberg Remand Prison led it to conclude that there is a risk that, in the absence of clear rules on this question, an unofficial (and uncontrolled) disciplinary system may already have developed. The delegation was told by senior staff and prisoners that prison officers in unit 7(3) had adopted a rather punitive approach to misbehaviour by prisoners. This was borne out by a register kept in that unit, which showed that two solitary confinement (or "observation") cells there were used more frequently than were similar cells in other units. Unlike in other units, the records kept in unit 7(3) did not record the length of time for which inmates had been held in observation cells. Clearly, more precise guidelines on the use of such cells could reduce the risk of them being used as a *de facto* punishment.

The CPT invites the competent authorities to reconsider the need for a formal disciplinary procedure for remand prisons in the light of these remarks.

5. Persons detained under aliens legislation

29. As during its visit in 1991, the CPT's delegation found that persons detained under the aliens legislation were being held in Kronoberg Remand Prison (some 16 persons on 24 August 1994). Their daily routine was indistinguishable from that of remand prisoners without restrictions - i.e. at best, some 3 to 4 hours out-of-cell per day.

The Committee wishes to stress that a prison is by definition not an appropriate place in which to detain someone who is neither suspected nor convicted of a criminal offence - this is all the more so when the prison in question is not in a position to provide them with a regime. In those cases where it is considered necessary to deprive persons of their liberty under aliens legislation, they should be accommodated in centres specifically designed for that purpose, which offer material conditions of detention and a regime appropriate to their legal status. **The CPT recommends that steps be taken as a matter of urgency to ensure that persons detained under the aliens legislation are not held on prison premises.**

6. Food

30. There had been a major improvement in the quality of the food provided at Kronoberg since the opening of a new kitchen in November 1992. The delegation was able to confirm that, as is stated in the follow-up report from the Swedish Government, the new kitchen is "well equipped and designed, even by Swedish standards".⁵ The establishment had also been provided with heated (and refrigerated) trolleys, which ensured that the food was at the correct temperature when it reached the inmates. As a result, far fewer complaints were heard from prisoners on this subject than had been the case during the first visit.

⁵ cf. page 9 of the follow-up report from the Swedish Government (CPT/Inf (93) 7).

C. The Huddinge unit

31. The Huddinge unit opened on 17 January 1994 and, at the time of the visit, was holding 12 inmates, none of whom were subject to restrictions. There were 10 staff (6 women and 4 men). The Head of the unit is directly responsible to the Director of the Kronoberg Remand Prison, but enjoys a large measure of day-to-day autonomy.

32. Material conditions of detention in the unit were very good. There were eleven cells, organised in three different configurations: two single cells, each of which measured some 7m²; three double cells, each of which measured 13.5m² and three sets of two cells, each measuring some 8.5m² and organised around a 5m² lobby area which contained a shower and lavatory. All of the cells were well furnished (bed, table, chair, cupboard and chest of drawers) and both natural and artificial lighting were good, as was ventilation. All inmates had ready access to lavatories (which were located in sanitary annexes near to the cells) at all times.

33. The cells were unlocked between 7am and 10pm every day. During that time inmates benefitted from a large range of regime activities. They could take outdoor exercise twice a day and participate in athletics twice a week. Other activities included occupational therapy, education and free association in one of two large and comfortably furnished common rooms, which were fitted with television and other audio-visual equipment.

Facilities for sports included a fully-equipped gymnasium (to which inmates had access four times per week) and two exercise yards, the larger of which was marked out for tennis and volleyball. Other sports activities available included table tennis, indoor hockey and football.

Four jobs were available - two in the kitchen, one in the laundry and one in cleaning the unit. The majority of the other prisoners took part in education, for which purpose a teacher attended the unit once a week. The whole group of inmates took part in two sessions of occupational therapy of one and a half hours each per week. These involved making games, wooden toys, small items of furniture, leather belts, ceramics and screen prints in well-equipped craftwork areas.

34. To sum up, the Huddinge unit provided a striking contrast to the main prison. It offered not only very good material conditions of detention, but also a regime which included a range of interesting and varied activities. This may be attributed, in part, to the impressive physical facilities of the building and to the high staff-inmate ratio; however, due credit should also be given to the commitment of the staff to treat prisoners in an individualised manner (which recognised their legal status as unconvicted persons) and to encourage them to participate in associative activities. **The unit could well serve as a model for the kinds of regimes to be developed in Kronoberg and other remand prisons in Sweden.**

D. Medical questions

1. Staff and facilities

35. The health care team at Kronoberg consisted of three doctors (a head doctor and two other doctors, all of whom were trained as psychiatrists) and eight nurses. The doctors provided between 40 and 45 hours of service per week (the head doctor being on call at other times) and the nurses worked in shifts - four were on duty during the day and two during evenings and weekends.

36. The health care facilities were located on the 6th floor and included 10 single rooms (and one seclusion room), which provided reasonably good conditions of detention. That said, it appeared to the delegation that the ventilation in the rooms could be improved. Renovation of the 6th floor did not feature in the schedule of renovation work seen by the delegation and **the Committee would like to receive details of any plans to carry out renovation work in the health care facilities.**

37. Health care services at the Huddinge unit were drawn from the large general hospital within which the unit was located. No complaints were heard from prisoners or prison staff about access to those services.

2. Psychiatric services

38. The delegation was informed that many of the problems dealt with by the health care staff at Kronoberg were of a psychiatric nature. At the time of the visit, a number of the 10 patients accommodated on the 6th floor displayed symptoms of psychiatric disturbance, including anxiety and self-injury; self-destructiveness and possible psychosis. In certain cases, the delegation's psychiatrist formed the view that those symptoms had been either provoked or aggravated by the fact that the persons concerned had been held in virtual solitary confinement, under restrictions imposed by the public prosecutor (cf. paragraphs 21 to 27).

39. At the time of the visit, the health care service at Kronoberg was able to respond to the needs of prisoners with psychiatric problems to only a limited extent. The ten beds within the health care facility were normally filled and it was apparently very difficult to arrange for inmates to be transferred to a psychiatric facility outside the prison.

The delegation was pleased to learn that a new programme of psychiatric training for prison officers (provided in association with the Karolinska hospital) was due to begin in September 1994; however, the establishment should not be expected to deal with all of the psychiatric problems presented by prisoners on an in-house basis.

40. In this respect, **the Committee wishes to stress that mentally ill prisoners should be kept and cared for in a hospital facility which is adequately equipped and possesses appropriately trained staff. That facility could be a civil mental hospital or a specially equipped psychiatric facility within the prison system.**

Whichever course is chosen, the accommodation capacity of the psychiatric facility in question should be sufficient to avoid prolonged waiting periods before necessary transfers are effected. The transfer of mentally ill prisoners to an appropriate psychiatric facility should be treated as a matter of the highest priority.

3. Medical records

41. The quality of the medical records kept of care provided to patients can have an important bearing both on the capacity of a health care service to anticipate and respond to the particular needs of individual patients and on its ability to detect and react to pathological trends within the patient group as a whole.

In this respect, the delegation had reservations about the quality of the medical records kept by the doctors at Kronoberg Remand Prison. The patients' records seen consisted of single sheets of paper bearing typed notes. In the view of the CPT, it would be preferable for the doctors' notes to be set out on a standardised medical record form, which could also include a range of other information about the patient's medical history and current state of health. It might be added that such a form can be a useful means of ensuring the continuity of medical care received by patients, in cases where they are transferred to other establishments.

The CPT recommends that the Swedish authorities seek to foster the use of a standardised medical record form by doctors working in prisons.

APPENDIX

**AUTHORITIES WITH WHOM THE CPT'S
DELEGATION HELD CONSULTATIONS**

A. National authorities

Ministry of Foreign Affairs

- Mr Harald FÄLTH, Assistant Under-Secretary and liaison officer to the CPT

National Prisons and Probation Administration

- Mr Per-Erik LUNDH, Deputy Director-General
- Mr Owe HORNED, Chief Legal Adviser

Ministry of Culture

- Ms Ulrika DACKEBY, Senior Administrative Officer, Immigration Department
- Mr Ola HENRIKSON, Senior Administrative Officer, Immigration Department

B. Other persons met by the delegation

- Ms Catharina BERGQVIST-LEVIN, Judge at Stockholm City Court
- Ms Agneta BLIDBERG, Chief District Prosecutor, Stockholm Public Prosecution Authority
- Ms Gunnel LINDBERG, Director of Stockholm Regional Public Prosecution Authority
- Mr Anders WIGELIUS, former Parliamentary Ombudsman.