

Press Release

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Council of Europe anti-torture Committee publishes report on Italy

Strasbourg, 20.04.2010 – The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has published today the [report](#) on its fifth periodic visit to Italy, carried out from 14 to 26 September 2008, together with the [response of the Italian Government](#). These documents have been made public at the request of the Italian authorities.

As concerns the treatment of persons deprived of their liberty by law enforcement officials, the report states that the CPT's delegation received a number of allegations of physical ill-treatment and/or excessive use of force by police and Carabinieri officers and, to a lesser extent, by officers of the Guardia di Finanza, particularly in the Brescia area. The alleged ill-treatment consisted mainly of punches, kicks, or blows with batons, at the time of apprehension and, on occasion, during custody in a law enforcement establishment. In a number of cases, the delegation found medical evidence consistent with the allegations made. The report assesses the procedural safeguards against ill-treatment and concludes that further action is required in order to bring the law and practice in this area into line with the CPT's standards. In their response, the Italian authorities state that specific directives have been issued to prevent and sanction inappropriate aggressive behaviour of law enforcement officials. Further, the authorities provide information on the points raised by the CPT as regards procedural safeguards against ill-treatment.

The conditions of detention at the Identification and Expulsion Centre in Milan, Via Corelli (CEI) were also examined. The CPT recommends, inter alia, that irregular migrants held there be offered a greater number and broader range of activities

On prison matters, the Committee's delegation focused on overcrowding, prison health care (responsibility for which has now been transferred to the regions) and the treatment of prisoners who are subject to a maximum security regime ("41-bis"). The CPT was very concerned by the level of inter-prisoner violence at Brescia-Mombello and Cagliari-Buoncammino Prisons, where episodes of inter-prisoner violence in the course of 2008 had resulted in serious injuries and, in one case, the death of a prisoner. In addition, a number of allegations were received at Cagliari that staff did not always intervene promptly when violence between prisoners occurred.

In their response, the Italian authorities have stated that the Directorate General for Prisons has called upon the Brescia and Cagliari prisons to adopt the necessary measures to counter inter-prisoner violence. Further, they have stated that since autumn 2008, episodes of violence have decreased as a result of a Convention entered into between Cagliari Prison and Caritas (a Catholic relief, development and social service organisation).

As regards the Filippo Saporito judicial psychiatric hospital (OPG) in Aversa, the report draws attention to the poor material conditions and the need to improve the patients' daily regime, by increasing the number and variety of day-to-day activities offered to patients. Further, the delegation found that certain patients were detained in the OPG for longer than their condition required and that others were held in the hospital even when

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their placement order had expired. In their response the Italian authorities state that the hospital is in the process of being renovated and that the law does not establish a maximum duration for the temporary enforcement of a security measure.

As regards the Psychiatric diagnosis and Treatment Department (SPDC) at San Giovanni Bosco Hospital in Naples, the delegation focused on the involuntary medical treatment of patients. The Committee recommends that the judicial phase of the involuntary medical treatment procedure (TSO) be improved

The CPT's report and the response of the Italian Government are available in English on the Committee's website (<http://www.cpt.coe.int>).