

Summary of case No. AJB-1774/2019

The Commissioner for Fundamental Rights, acting in his capacity as the OPCAT National Preventive Mechanism, paid an unannounced visit to the County Police Lockup Facility of the Nógrád County Police Headquarters, the Police Detention Facility of the Salgótarján Police Headquarters, as well as the Police Detention Facility of the Balassagyarmat Police Headquarters on January 30-31, 2018.

The visit was aimed at investigating into the treatment of, and the health care services provided to the detainees, and a medical expert was also involved.

The members of the visiting group reviewed the facilities and premises of the institutions, they checked the relevant documents, and they also conducted interviews with the detainees, the managements of the institutions and the members of the staff.

During the visit, no circumstances suggesting any torture incidents defined in the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, which was announced by decree law 3 of 1988, were identified.

The information provided to the detainees was not appropriate either at the County Police Lockup Facility or at the Salgótarján Police Detention Facility.

According to the practice established at the County Police Lockup Facility, the urgency of the detainees' medical condition is defined by the staff on duty. Also, the guards rationed tranquilizers and sleeping pills to the detainees at the request of the latter, without any direct medical supervision, and the detainees who signaled mental problems were placed in common cells.

The Commissioner for Fundamental Rights requested the head of the Salgótarján Police Headquarters to take care of the elimination of the practice of placing detainees with mental issues in common cells at the County Police Lockup Facility, of terminating the practice of the guards' defining the urgency of the medical condition of the detainees, and also, of providing appropriate information to the detainees.

The size and design of the exercise areas established at the County Police Lockup Facility did not ensure a real opportunity for the detainees to exercise in the open air. Also, the prison van type Opel Movano, with registration number KSR-282, which was inspected in the courtyard of the institution, did not have any safety belts in the space for seating the detainees.

At the Balassagyarmat Police Detention Facility, the members of the staff voiced stereotypical, prejudiced opinions on LGBT persons, and they were not aware of the rules of the special treatment of pregnant women either.

A young detainee at the County Police Lockup Facility complained that he had not had a bath for two days, and he had not been out in the fresh air either. Several detainees also complained that they had not been able to exercise their right to notify their relatives.

The Commissioner for Fundamental Rights requested the head of the Salgótarján Police Headquarters to take action for ensuring that the staff of the County Police Lockup Facility provides the detainees the opportunity of daily baths and staying outdoors, which is a right provided by law, and also, the opportunity for the detainees to exercise their right of contact according to the statutory requirements.

At the Balassagyarmat Police Detention Facility, the medical doctor on duty examines the detainees at the detention unit, where the escort guard and the coordinating officer are also present. Furthermore, at the Balassagyarmat Police Headquarters, the visitors experienced serious deficiencies regarding the police staff's clothing, hygiene and the objects required for their having meals in a civilized way.

The Commissioner for Fundamental Rights requested the head of the Balassagyarmat Police Headquarters to pay special attention to avoiding situations that may involve indecency during the medical examinations performed at the detention unit. He also asked for action regarding providing appropriate information to the detainees. Furthermore, he requested that it should be ensured that the staff reporting to him be aware of the rules of the special treatment of pregnant women, and that he review the regime of duty that was complained of, and also, that the conditions required for the police staff's civilized work and meals be ensured.

Acting upon the experience gained from the visit, the Commissioner for Fundamental Rights requested action from the head of the Nógrád County Police Headquarters, in that the information leaflets prepared for the detainees at the police stations subordinated to them should contain references to effective laws and that safety belts should be installed in the police vans.

The Commissioner for Fundamental Rights requested the chief of police to organize the participation of the staff of the police stations subordinated to him in training sessions on the treatment of detainees, their human rights, as well as conflict and stress management and sensitization. He also asked the chief to take measures for the building of an exercise area genuinely suitable for the detainees' staying outdoors at the County Police Lockup Facility, and also, to review the practice that makes it easy for the detainees to access tranquillizers and sleeping pills, which was experienced here.