

Notes from the Series of Systematic Visits to Police Cells in 2010

1. In relation to his task of performing a series of systematic visits in accordance with the provisions of § 1 Paragraphs 3, 4 b) of Law No. 349/1999 Coll., the Public Defender of Rights Act, as subsequently amended, from the beginning of 2010 the Public Defender of Rights visited a total of 34 police facilities.

2. Visits were made to police facilities from various regions, with the exception of the Plzeň region, as the cells in use there were visited during previous series of visits in 2006 and 2007. However, in four facilities no assessment of the visit was made as the cells were not in use. A total of 126 cells for a total of 192 people were inspected (for more details of the location, number and capacity of the cells, see the attached summary).

3. All the unannounced visits were made by the staff of the Office of the Public Defender of Rights (hereafter simply “the staff of the Office”); some visits took place in the evening or at night, and some repeatedly in the early hours of the morning. At the beginning of each visit, once the staff of the Office had arrived at the police station, the head of the appropriate organisational section in charge of the police cells and the running and guarding of the cells was always notified, either in person or, if absent, by telephone. This person was then sent a report of the visit to the facility in accordance with § 21a Paragraph 2 of Law No. 349/1999 Coll., the Public Defender of Rights Act, calling for a statement on any findings. The report was also sent for the information of the appropriate chiefs of territorial divisions and regional directors depending on the location of the stations visited. In two cases visits were made to cells under the authority of the Foreign Police Service of the Czech Republic (Ústí nad Labem, Hradec Králové); in all other cases the cells were under police territorial departments.

4. In the legal assessments contained in the reports sent to the heads of the individual organisational sections under which the cells were set up the Public Defender of Rights (hereafter simply “the Defender” referred particularly to Law No. 273/2008 Coll., Act on the Police of the Czech Republic (in this text abbreviated to “the Police Act”), binding instruction of the Police President No. 159, dated 2 December 2009, on Escorts, Guard Duties and Police Cells (abbreviated in the text to “BIPP”) and his earlier Report on Visits to Police Facilities from April 2006.¹

Structural and technical arrangements

5. In terms of size, police cells were in compliance with BIPP. There were no problems of cameras monitoring toilets, but in some cases washbasins were monitored by a camera, which is not permissible under BIPP, as washbasins should also be situated out of the line of sight of cameras. In some cases the washbasin and WC were not visually separate from the rest of the cell (e.g. Uherské Hradiště, Krupka), as required by Article 2 I) of Appendix 1 of BIPP. In these cases the Defender recommended that the cells be adapted to comply with BIPP.

6. Other findings include the fact that in some cells water could not be run from the cell itself but had to be run from the corridor. Not all cells had the night lighting system stipulated by Article 2 j) Point 2 of Appendix 1 of BIPP. The night lighting system had either not been installed at all or was not working, making it necessary to use daytime lighting even at night so as to allow the use of “weak” police cameras. In some cells the signalling system did not work.

7. Article 1 c) of Appendix 1 of BIPP stipulates that a special room must be set up for personal inspections. In no cases was it found that a personal inspection was carried out by a person of the opposite sex to that of the person placed in the cell. Where the lack of a special inspection room meant that personal inspections were carried out in the corridor, the Defender recommended that a screen be used so that the person was not visible to the public, if the public had access to the corridor, or by a police officer of the opposite sex. Also, in cases where, for example, the inspection room had a glass door allowing people in the corridor to see in, the Defender recommended covering up the glass in a suitable manner.

8. The Defender accepted the problem of dignity and privacy in the case of camera systems – if an inspection room was monitored by a camera feeding images to a screen in a room which generally contained other people, including those of the opposite sex (Telč), or if a monitor with a camera feed was placed in a room used by police officers but angled so it was visible from reception area where people could freely enter the building (Přerov), the Defender recommended that the situation be rectified. Also, not all cells displayed a notice that the room was under camera surveillance; therefore the Defender recommended that a sign be put up to this effect; otherwise this is also stipulated by Article 2 o) of BIPP, which states that a sign must be displayed in a position visible from a several-hour cell informing the people in the cell that the cell is monitored by a camera using the words “Cell monitored by a camera system”.

Furnishings and fittings in cells

9. In some cells, even new ones, toilets were not fitted with a seat, while in Points 39 and 40 of the Annual Report on Visits to Police Cells from 2006 the Defender recommended that toilets in cells should be fitted with a toilet seat and, at the very least, where the flush controls are situated outside the cell, the toilet bowl should also have a lid. In order to flush the toilet after using it, a person in a cell is reliant upon a police officer, who has to be summoned with a signal.

10. Mattresses were not used in some cells (Znojmo, Krupka; in the cells for foreigners in Hradec Králové a person was given a police sleeping bag instead of a mattress) and a person slept directly on the wooden panel of the bed, while the **bed** (which in accordance with BIPP consisted of a steel frame clamped to the floor with a wooden part on top) **should, in accordance with Article 3 a) of Appendix 1 of BIPP, be fitted with a washable cover or a mattress with a washable surface.** It should be mentioned here that in extreme cases a person may be placed in a cell for up to 72 hours while formalities are dealt with, during which that person must respond to questions and explain things – the question is how a lack of sleep can affect a person’s ability to properly defend himself; therefore the Defender recommended that mattresses be provided.

11. As regards sleep, Article 4 of Appendix 1 of BIPP states that the furnishings of cells must include one single sheet on the bed, or a bed sheet. Bed sheets were not found in some cells. As a single sheet on the bed a roll of paper on the bed was used, with a reasonably long piece torn off and issued to the inmate of the cell. However, practices vary; in some departments two blankets were automatically issued, in others a blanket and paper sheet, while in some departments only a blanket was issued and the person lay directly on the mattress. In at least one department the blanket was not washed or otherwise cleaned after use (in one department used blankets were thrown away). In another department people in cells slept on mattresses with a textile surface which could not be cleaned after use. If, in the past, in accordance with the previous BIPP No. 118 dated 27 July 2007, a person was entitled to 2 sheets, meaning that one could be used as a cover, thus avoiding immediate physical contact with a used blanket (or mattress), that person is now only entitled to one bed sheet, or a single sheet on the bed. If, however, a person is issued with a strip of paper as a "single sheet", it is not possible to avoid contact with a blanket or mattress that has been used by someone else. **Therefore, in situations where a person placed in a cell lies on an unclean mattress or under an unclean blanket, the Defender recommended that larger bedding be provided, ideally a classic sheet; if necessary, a clean blanket could be used on an uncleaned mattress instead of a sheet. If there is no clean blanket available and the mattress cannot be cleaned, two sheets should automatically be issued.**

12. In cells there were generally other necessities available (e.g. disposable toothbrushes, disposable towels, cups, sheets), although these were not automatically issued to people in cells; most departments had introduced the rule that people had to actively request their hygiene supplies, which in combination with the further practice of not issuing copies of the notice of cell inmates' rights (see Point 13) means that persons restricted in their freedom rarely request such items.

Advice given to people when placed in cells (§33 Paragraph 5 of the Police Act)

13. According to the provisions of § 33 Paragraph 5 of the Police Act a person placed in a cell must be demonstrably informed of their rights and obligations. In practically all cases this involves signing the appropriate form. Article 15 Paragraph 1 of BIPP states that a copy of the advice must be issued when a person is placed in a cell, yet the investigation found that in practice this does not happen. The reason for this is that even paper is classed as something that can endanger the life or health of a person placed in a cell. This approach is taken indiscriminately, with no individual assessment of the level of risk. The Defender did not agree with this practice, as it does not comply either with the provisions of an internal police regulation² or with the wording of the advice form³, and he recommended that one copy of the advice form should always be issued to the person in the cell. There is a difference between a person's ability to accept information during the course of the procedures which follow one after the other when a person is taken into custody, and that person's ability to accept information later, in relatively calmer circumstances. In the Defender's opinion it is possible that a form should not be left in the cell for safety reasons, but only after an individual appraisal of the characteristics of the person imply that the advice form could be used for self-harm or to endanger others (the Defender in no way questions this possibility); in such a case the form should be kept

with the belongings taken from the person and issued when the person leaves the cell.

14. Article 13 Paragraph 5 of BIPP states that the supervisor on duty or another appointed police officer on guard when a person is taken into custody must inform the person about the legal reasons for the actions and about the person's rights and obligations. In practice, however, the person placed in the cell has "already been advised" by the body which restricted that person in his or her freedom, and if the police officer taking charge of the person receives a signed advice form, that officer does not make a point of specially passing on the advice to the person again. The Defender recommended that this provision of BIPP be adhered to, as coupled with the practice of not providing advice (see Point 13) there is a real risk that the person placed in the cell could be deprived of his or her rights or legal entitlements (see Points 12, 24, and 25). **The Defender recommended that the police officers should check to ensure that the person has received the basic information.**

Officers can also encounter people who are slower to understand and who will need the advice repeating to them again later. If a person refuses to cooperate and read the advice, the officers on duty should give the advice verbally and not just make a record. Police officers should not see this advice as a threat, but as a form of protection.

15. The Defender also recommends that the police intranet, in the section accessible by the territorial divisions of the external service, should offer foreign language versions in accordance with Point 13, as compiled by the Foreign Police (e.g. a version in the Ukrainian language).

Confiscation of items and medical aids

16. According to the provisions of § 29 Paragraph 1 of the Police Act, prior to placing a person in a cell the police officer is entitled to ascertain whether the person is carrying a weapon or other item capable of endangering life or health and to confiscate any such items. The police officer is entitled to inspect the person for this purpose. Investigation of the matter found that de facto all items were confiscated – an employee of the Office repeatedly asked whether a person could have the Penal Code in paperback (ÚZ edition), or a book or newspaper. In practice this was not allowed, with the exception of one of the departments visited, where there was a box of old newspapers and magazines which could be issued to people.

The Defender recommended that people should be allowed to keep documents relating to their confinement in their cell and their criminal case so as to allow them to adequately familiarise themselves with this information. In some departments these documents were automatically left, while in other departments they were automatically confiscated. The practice in other departments was that the person in the cell was allowed to keep documents relating to their case, yet the text providing advice on the rights of persons placed in a cell was not issued "for safety reasons" – under these circumstances there was no reason to automatically confiscate the advice, as the person in the cell could still use the sheet of paper to inflict self-harm anyway. As stated in Point 13, the Defender recommended that advice should not be left with people in cells only in cases where an individual assessment indicates there is a potential risk of self-harm.

The question arises as to whether the current practice is in line with the intentions of the legislator, as it is questionable whether situations where all items are confiscated from people in cells are in accordance with the law, which only allows the confiscation of “items capable of endangering life or health”; the current practice assumes that items that are not capable of endangering life or health cannot exist, which is evidently not true. No item is capable of endangering life or health in itself; it is only capable of doing so when used by a person who has such intentions in mind (or who acts negligently or incompetently). For example, the commentary on the Police Act⁴ regarding the term “other item capable of endangering life or health” states, that such an item “*is understood to mean an item which, considering its nature and the character of the person in the cell, could be used to endanger life or health*”; this testifies to the need for an individual assessment as requested by the Defender in Point 13.

If the legislator had actually wanted absolutely everything to be confiscated, this clause would probably have been restricted to the statement that all items must be confiscated when a person is placed into a cell.

17. If the item is a medical aid as defined by the provisions of § 29 Paragraph 1 of the Police Act, the confiscation of which would be mentally or physically detrimental, there must be a special reason for confiscating it. An investigation found that in most departments glasses were confiscated from everyone; it was only in certain departments that people were allowed to keep their glasses (Telč). Other departments confiscated glasses and if a person insisted they be returned or if they would find it difficult to move around without glasses, the glasses were given back. In one department they would leave the glasses if a doctor explicitly stated that the person should be allowed to keep them. The blanket approach of confiscating all glasses cannot be condoned, nor is it possible to transfer the authority to make decisions as granted by the law to a doctor; in each individual case the police officer must be able to assess whether there is any special reason for confiscating the glasses. The provisions of the law must be respected and glasses should only be confiscated when there is a special reason for doing so; if there is, this reason should be recorded in the service files. **In other words, police officers should automatically let people keep their glasses; even if glasses or any other medical aid can be classed as an item capable of endangering life or health, for the “legal” confiscation of such an item there must be another, “special” reason for confiscating the item (apart from the reason that the item is capable of endangering life or health in accordance with the first sentence of § 29 Paragraph); the police officer must state this “special” reason in the service files.**

18. Other everyday items are also confiscated without exception, such as watches. The inability to orient oneself in time, or the unreasonable level of dependence on the guard to get this information, in combination with other measures – e.g. the lack of opportunity to do anything except sleep, can lead the question of what purpose these “discomforts” serve. Restricting a person in their freedom is in itself a serious infringement on that person and should be limited to the absolute minimum required to serve its purpose: to prevent escape, the obstruction of investigations or the continuation of illegal conduct. The Defender therefore recommended **that watches only be confiscated in justified cases, and that the reason should always be recorded in the service files. If watches are confiscated or if people do not have**

them, people should be told the time (without the need to ask) during regular cell inspections, mealtimes, or demonstrations.

Medical examinations

18. As regards medical examinations, it is common practice for police officers to prefer to have persons in custody examined by a doctor rather than “having problems in the future”. If a person expresses interest, they are practically always examined, as they are when there is reason to suspect the person is suffering from an illness or injury (see below for exceptions). The following problems were found in relation to medical examinations:

18.1) According to the provisions of § 31 Paragraph 1 of ZPP, if there is reason to suspect that a person who is to be placed in a cell suffers from a serious illness, the police officer must arrange for that person to have a medical examination and request a doctor’s statement on the person’s state of health. A person was held in a cell at the station in Nymburk when the police officers knew from the start that the person suffered from mental illness and was in the care of a psychiatrist, as they had several times assisted in the involuntary hospitalisation of the person in a psychiatric clinic; however, no medical examination was given before the person was placed in the cell. The staff of the Office spoke to the person around 28 hours after he had been placed in the cell; during the interview the person told them that he had schizophrenia, he told them the name of the doctor treating him, that he regularly took medication although had not taken any since the day before as he had not had any on him before he was placed in the cell, that he had not informed the police officers and had not requested a medical examination. The Nymburk police officers knew beyond reasonable suspicion that the person in custody suffered from a serious illness, yet they failed to respect the aforementioned provisions of the law and did not arrange for a medical examination, nor did they ensure that the person in custody received the medication he was taking. **This procedure must be considered a breach of statutory duty owing to the violation of the person in custody’s right to health.**

18.2) In another department the police officers had a psychiatric patient examined, had the doctor inform them what medication to administer and did actually administer it; however, they did not ascertain what quantities of the medication were required (or at least this information was not found in the service files). It may be assumed that the police officers verbally passed on the information that the medication was to be administered in the morning, although they risked confusing the quantity or the time the medication was to be given, or even forgetting it completely, thus risking causing harm to the patient. **The Defender therefore recommended that guidelines should always be obtained from the doctor regarding how medication should be used, i.e. for how long and in what doses.**

18.3) Some doctors do not refuse to examine persons restricted in their freedom, but refuse to make an entry into the examination record stating that “the person is capable of being held in a cell”. The police then have a document attesting to the fact that the person was examined by a doctor and containing a description of that person’s state of health, but the doctor avoids actually stating that the person is capable of being held in a cell by claiming ignorance as to what the cell looks like and

what the regime in the cell is like. **In this case it would probably be best to inform the doctor or the doctor's representative of the appropriate centre about the practical routine and furnishings in the cells, either by arranging a personal tour or by sending information and photographs.**

18.4) In some stations the police officers did not deny the right to a medical examination, yet they would not let a person be examined by his or her doctor according to the provisions of § 24 Paragraph 5 of the Police Act (in the case of another examination the aim of which is not to determine whether or not the person is capable of being held in a cell). Station heads were subsequently informed of this right in the report on the visit.

18.5) In the case of medical examinations of persons restricted in their freedom the Police of the Czech Republic is obliged to assure the safety of the examining staff and to prevent such persons from escaping, if the examination is performed outside the cell or police station. Here there is a conflict between the need to protect the safety of the medical staff combined with the need to prevent the person being examined from escaping and the protection of the examinee's privacy, or the need to maintain medical confidentiality.⁵ In this case the police regulations paradoxically stipulate a different regimen for examinations performed outside the cell (a certain degree of guard presence, and visual contact),⁶ while the regulations do not preclude the presence of a police officer when a medical examination is performed in a police cell.⁷ When asked, police officers clearly preferred to opt for maximal safety, i.e. the essential presence of police officers at every medical examination. Disregarding the inconsistency of the internal police regulation, **the Defender recommended that the performance of medical examinations should respect the appropriate provisions of Law No. 20/1966 Coll., the Public Health Act, as subsequently amended, and Article 10 Paragraph 1 of the Convention on Human Rights and Biomedicine.** A sensible compromise would be, for example, to introduce the rule applied in the police cells in Teplice, whereby a guard stays in visual contact in front of the cell and only enters the cell when asked to do so by the doctor.

Meals

19. According to the provisions of § 33 Paragraph 4 of the Police Act a person has the right to receive a meal three times a day at reasonable intervals. Some stations still applied the old practice of granting the right to a meal 6 hours from the moment the person is placed into custody. The Defender recommended that meals should be served with respect to the main mealtimes during the day, stating that police officers should use service records to find out when a person placed in a cell last ate. These service records were not always properly filled in by the department placing the person in the cell and the police officers on guard did not always take an active interest in this information. However, during the visits it was found that there were violations of the right to receive meals as granted by the law; for example one person in custody who a member of staff of the Office spoke to on the second day of custody was placed in the cell in the early hours of the morning, approximately 2 hours after being taken to the station; during the day the person was handed over to criminologists, escorted and then returned to the cell, and the first meal was not provided until dinnertime of the first day in custody (i.e. the person could have gone without food for around 24 hours, including the previous night "at liberty", the morning

arrest, placement in the cell, and dinner in the cell); the next day the person received breakfast and lunch, although probably not until the afternoon.

20. This is related to the problem of “transferring” people between the different departments of the Police of the Czech Republic, e.g. for procedural formalities, or when placed in a cell after all day spent at a police station, for example, where the police officers handling the transfer do not properly inform one another when the person last received a meal. Complications could be avoided by properly passing on information in the appropriate part of the Official Record (application) on the person’s placement into a police cell, which does not always happen.

21. According to Article 19 Paragraph 2 BIPP, depending on local conditions a person placed in a cell should be provided with meals as requested, at that person’s expense, assuming that they have the necessary funds and assuming that such funds are not the proceeds of criminal activity. In one department the Office staff found that people were not allowed to purchase their own food, the reason being that it would result in too much administrative paperwork; here in his recommendations the Defender referred to the applicable internal police regulation.

The provision of legal aid

22. The provision of legal aid is not only an inseparable part of the right to a fair trial, but, together with the option to be examined by a doctor, is also one of the means of safeguarding against mistreatment. The staff of the Office regularly asked how it was possible for a person to request legal aid from a cell, while the general practice was that the police officer on duty would inform the police officer who had placed the person in the cell that the person requested contact with a lawyer (assuming a lawyer had not already been appointed as part of “necessary defence”). However, it was also found that in some cases that the police officers on guard themselves informed a specific lawyer when the person in custody had requested it and given a specific name – e.g. in Uherské Hradiště, Hodonín, and others). According to the provisions of § 24 Paragraph 4 of the Police Act, persons restricted in their freedom have the right to receive legal aid at their own expense and to speak with a legal representative without a third party being present. For this purpose police officers must provide the necessary assistance immediately, if a person so requests. Therefore, the Defender recommended that police cells **should contain a list of lawyers in the local area which would be available to persons in custody**,⁸ as police officers do not always manage to merely pass on information to the investigator, while the person in custody has the right to legal aid from the start of their time in custody, even when given a “mere” declaration, and the fact that the person is held in a cell changes nothing.

23. In some departments there is the problem that where there is no special visiting room for meetings with a lawyer and the meeting takes place in the cell, the communication system with which the cell (and in some cases the special visiting room) is equipped “de facto” allows eavesdropping on conversations. The police officers on duty were aware of this, and pointed out, for example, that if they were to use the communication system, it would make a noise which the lawyer would hear (Sokolov), or that in such cases they were instructed to mute the system (Hradec Králové, communication system combined with a video camera)...; **however, this is**

an objective fact to which the Defender is obliged to draw attention and the Defender also requested that the appropriate head of staff provide information about how this situation will be resolved.

Notification of third parties

24. According to the provisions of § 24 Paragraph 2 of the Police Act, when a person is restricted in their freedom the Police of the Czech Republic, at that person's request, must notify a close friend or relative of the person placed into custody or another individual that the person specifies. The police officers expressed their willingness to mediate this information, yet evidently they did not see it as their obligation to check whether the person's rights had been enforced and whether or not the person wanted to have somebody notified. Considering the practicalities of the regimen in cells (let people ask for everything they need themselves), the Defender recommended that this information, i.e. whether or not the person wants to have somebody notified, should be ascertained while the person is held in the cell, as once again this is one of the forms of protection against mistreatment (together with notifying a lawyer and an examination by a doctor of choice), and the person in custody should be told whether or not it has been possible to contact the individual in question.

Filing complaints

25. In various departments the staff of the Office found that there were different systems used for the filing of complaints – police officers repeatedly said that they were not authorised to accept complaints and that it was necessary to call the appropriate member of staff from the prevention and complaints department. However, Article 15 Paragraph 5 of BIPP specifies a different procedure, or rather BIPP contains several procedures for the filing of complaints which, however, were not used in the departments (e.g. because there were no complaints forms available, the person could not be given a pen for safety reasons, etc.). In these cases the attention of the department's police officers was drawn to the stipulations of the law.

Compliance with deadlines covering the restriction of personal freedom

26. In one department there were doubts over whether the legal time limits covering custody were being exceeded. Despite the Defender's awareness of the explanatory statement of the Supreme Public Prosecutor's Office No. 23/2002, on the role of police bodies exercising supervisory and inspection activities in police cells with regards to the limits on the length of time a person suspected of a crime or a person convicted of a crime may be held in custody, it would be appropriate if the service files made it clear that the police officer on guard had informed the person in accordance with Article 18 Paragraph 3 of BIPP,⁹ which, however, was not found to be the case, or these records were not found in the service files.

27. There is another problem associated with the deadlines covering the restriction of personal freedom in relation to the form entitled "Advice for Persons to Be Placed in a Cell, automatically generated by the electronic "Prosecution Records System" (PRS), which states that persons are to be placed in their cells for the amount of time absolutely necessary, although for a maximum of 72 hours, which does not apply

when someone is detained in accordance with the provisions of § 26 and § 27 of the Police Act. According to the provisions of § 26 of the Police Act a person may be detained for no longer than 24 hours from the moment they are taken into custody and that according to the provisions of § 27 Paragraph 1 of the Police Act a foreigner may be detained for no longer than 24 hours from the moment the person is placed into custody. According to § 27 Paragraph 2 of the Police Act a foreigner may be detained for no longer than 48 hours from the moment the person is placed into custody. The total amount of time a person spends in combined custody in accordance with § 27 Paragraphs 1 and 2 may be no longer than 48 hours from the moment the person is placed into custody. Any additional related detention in accordance with Law No. 326/1999 Coll., on the Residence of Aliens in the Territory of the Czech Republic, does not take place in a police cells, but in a detention facility for foreigners. The Defender therefore recommended that departments “found” to have this problem should amend the erroneous advice by hand until the form in question is amended in the PRS; if there is any requalification of the reasons for holding the person in custody, the person in question should be informed.

Conclusion

The above points vary in terms of their severity. From a systematic point of view, the most crucial fact seems to be that described in Point 13 in relation to the requirements of the provisions of § 33 Paragraph 5 of the Police Act, which state that a person placed in a cell must be demonstrably informed about the rights and obligations of persons placed in a cell.

The Defender considers it appropriate that copies of the “advice” should be left in cells for people to allow them to adequately study the information “in peace” at a later time. The Public Defender of Rights also believes that the paper sheet on which the “advice” is printed should not a priori be considered “an item capable of endangering life or health” which, once it has been signed by the person for whom the advice is intended, police officers are entitled to take away. Despite some people’s evident ability to harm themselves (e.g. by cutting their wrists, asphyxiation, etc.), it is not possible to adopt such a uniform approach to all persons placed into cells.

People in cells should be allowed to keep documentation relating to their criminal case in relation to their right to prepare their defence.

However, the other shortcomings cannot be considered unimportant. In general they do not occur in isolation, but in combination with other individual apparently minor factors, yet together they may result in a violation of the rights of persons restricted in their freedom.

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Deputy Public Defender of Rights

Appendix: Summary of police facilities visited, by region

Region	Visited police facilities	Number of Cells	Capacity
Prague	KŘP (Regional Police Headquarters) of the Capital City of Prague	28	57
Region of Central Bohemia	TD Nymburk	1	2
Region of Hradec Králové	TD Hradec Králové	3	3
	Foreign Police Service Hradec Králové	2	2
Region of Pardubice	DD Chrudim	7	12
	TD Pardubice	3	3
Region of Liberec	TD Liberec	8	12
Region of Ústí nad Labem	DD Chomutov	5	10
	DD Krupka	2	2
	TD Teplice	3	6
	Foreign Police Service Ústí nad Labem	10	20
Region of Karlovy Vary	DD Toužim	2	2
	PEO TD Sokolov	11	12
Region of South Bohemia	TD Strakonice	3	3
	DD Blatná	3	3
	TD Tábor	3	3
Vysočina	TD Jihlava	3	3
	DD Telč	1	1
	DD Moravské Budějovice	1	1
	TD Žďár nad Sázavou	3	3
Region of South Moravia	TD Hodonín	4	5
	DD Znojmo	3	6
	DD Blansko	2	2
Region of Olomouc	DD Přerov I	3	3
	DD Přerov II	1	1
Region of Moravia-Silesia	TD Bruntál	2	2
	DD Opava	3	3
Region of Zlín	DD Kroměříž	2	4
	TD Uherské Hradiště	3	4
	DD Uherské hradiště	1	2

REGION TERRITORIAL DEPARTMENT (TD)
DISTRICT DEPARTMENT (DD)

Notes:

1. Report available on the website of the Public Defender of Rights at www.ochrance.cz
2. Article 15 Paragraph 1 of the binding instruction of the Police President states a copy of the advice is given to persons placed in a cell.
3. In accordance with this instruction the person placed in a cell signs to confirm that he or she "has understood the advice and received a copy of it, together with a copy of the official record of the person's placement into the police cell".
4. Filák, A. and Co.: *Zákon o Policii České republiky s komentářem (Act on the Police of the Czech Republic with commentary)*, Police History, Praha 2009, p. 66, ISBN978-8086477-79-7
5. Article 10 Paragraph 1 of the Convention on Human Rights and Biomedicine (Notification of the Ministry of Foreign Affairs No. 96/2001 Coll. m. s.) stipulates that every person has the right to privacy in relation to information about their health.
The provisions of § 55 Paragraph 2 d) of Law No. 20/1966 Coll., the Public Health Act, as subsequently amended, oblige medical workers to maintain confidentiality over facts that come to their attention during the course of their profession, with the exception of cases where they impart such information with the consent of the person receiving treatment or when exempted from the obligation by a superior body in the important interests of the state.
6. Article 12 Paragraph 2 of BIPP states that ...medical examinations, or persons receiving treatment, should be attended by at least one escorting police officer of the same sex as the person being examined or treated, in visual contact...
7. Article 17 Paragraph 4 of BIPP states that "Persons... (persons authorised to enter the cell, including doctors) enter and remain in the cell in the presence of a police officer..."
8. The list was available at the department in Znojmo, for example, and could be drawn up using the lawyer search engine on the website of the Czech Bar Association.
9. According to Article 18 Paragraph 3 of BIPP...if there is a risk that the legal limit on the restriction of a person in their freedom could be exceeded, the police officer guarding the cell must inform the person who issued the ruling to restrict that person's freedom or the supervising public prosecutor of the fact. Any further action taken by the police officer should be based on that person's instructions. The officer should inform his or her superior of these facts and make a record...