



2025 Annual Report
National Preventive Mechanism (NPM)
Spain





2025 Annual Report National Preventive Mechanism (NPM) Spain

**Supervision of Spain's deprivation of liberty facilities in compliance
with the Optional Protocol to the United Nations Convention against
Torture and other Cruel, Inhuman or Degrading Treatment or
Punishment (OPCAT)**



This Mecanismo Nacional de Prevención (MNP) [National Preventive Mechanism-NPM] report was first published as part of the Defensor del Pueblo [Spanish Ombudsman] Annual Report for 2025

[The digital version of this NPM report can be consulted or downloaded from the Defensor del Pueblo website](#) (Spanish content)

- A. [Full report](#) (Spanish and English version)
- B. Resolutions formulated by the NPM (Spanish content)
 - B.1. [Recomendaciones](#) [Recommendations]
 - B.2. [Sugerencias](#) [Suggestions]
 - B.3. [Recordatorios de deberes legales](#) [Reminders of Legal Duties]

This version provides access to the digital links for the annexes (Spanish content)

[From the NPM tab of the website](#) (Spanish content), you can access visit summaries and updates on the responses of Public Administrations to the Resoluciones [Resolutions] received.

Total or partial reproduction of the content of this publication is permitted, provided the source is cited. Under no circumstances may it be used for commercial purposes.

The Defensor del Pueblo produced this publication.

© Defensor del Pueblo
Eduardo Dato, 31 – 28010 Madrid
www.defensordelpueblo.es
documentacion@defensordelpueblo.es

Legal Deposit: M-19974-2012

CONTENT

Introduction	5
1 General data on visits and interventions	9
2 Visits. Findings and proposals.....	20
2.1 Centros de internamiento de menores infractores (CIMI) [detention centres for juvenile offenders].....	20
2.1.1 National Preventive Mechanism (NPM) Actions	20
2.1.2 Oversight areas. Challenges and progress	22
2.2 Penitentiary centres and hospital custody units.....	31
2.2.1 National Preventive Mechanism (NPM) actions in penitentiary centres.....	31
2.2.2 Supervisory areas in penitentiary centres. Challenges and progress ..	32
2.2.3 Hospital custody units	43
2.3 Places and detention facilities for foreign nationals	48
2.3.1 Holding rooms for inadmissible persons and applicants for international protection at international airports	48
2.3.2 Centros de atención temporal de extranjeros (CATE) [Short-term holding centres for foreign nationals]	49
2.3.3 Centros de internamiento de extranjeros (CIE) [Detention centres for foreigners]	51
2.3.4 Forced return by air	52
2.4 Police station and court holding cells.....	56
2.4.1 National Preventive Mechanism (NPM) Actions	56
2.4.2 Publication of Instruction 10/2025 of the Secretaría de Estado de Seguridad [Secretariat of State for Security], updating the “Comprehensive Police Detention Procedure”	57
2.4.3 Visits to places of deprivation of liberty in the Autonomous Community of Valencia in areas affected by the DANA (low-pressure system) ...	58
2.4.4 Oversight areas. Challenges and progress.....	59
3 Cross-cutting programmes.....	68
3.1 Programme for the prevention of gender discrimination in deprivation of liberty facilities	68
3.1.1 Prevention of discrimination	69
3.1.2 Sexual violence, gender-based violence and community resources ...	75
3.1.3 Menstrual health, maternity and breastfeeding.....	78
3.1.4 Suicide Prevention Protocols and Self-Harm Prevention Protocols ..	80
3.1.5 Risk of ill-treatment.....	82

3.2	Mental health programme	83
3.2.1	Mental health programme in psychiatric centres	83
3.2.2	Outcomes achieved and evaluation of findings	84
3.2.3	Mental health programme in prisons	91
3.3	Programme on intellectual disability in deprivation of liberty facilities	94
3.3.1	Measures to prevent discriminatory situations	96
3.3.2	Healthcare	100
3.3.3	Prevention of ill-treatment risk	101
3.4	Programme on deaths in custody	101
3.4.1	National Preventive Mechanism (NPM) actions in penitentiary centres	101
3.4.2	Challenges and progress	102
3.4.3	National Preventive Mechanism (NPM) action in police custody	105
	References	107
	Investigation of allegations of torture and other cruel, inhuman or degrading treatment	109
	Activities of the National Preventive Mechanism in the areas of training, cooperation and outreach	113
	Full table of contents	117

INTRODUCTION

This report outlines the activities carried out by the Defensor del Pueblo [Spanish Ombudsman], in its capacity as the Mecanismo Nacional de Prevención (MNP) [National Preventive Mechanism (NPM)], whose role is to supervise places of deprivation of liberty in Spain, in accordance with the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

The Spanish State, as a signatory of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the European Convention on Human Rights, is responsible not only for preventing torture and ill-treatment, but also, in cases of ill-treatment by public officials, for carrying out a thorough and effective investigation capable of leading to the identification and punishment of those responsible, as consistently reiterated in the case law of the European Court of Human Rights.

The NPM's preventive work is fundamentally based on three areas of action: (i) unannounced visits to all types of facilities where persons deprived of their liberty are or may be held; (ii) the collection and analysis of information and documentation related to deprivation of liberty; and (iii) the establishment and maintenance of constructive dialogue with the various authorities responsible for the management or oversight of places where persons may be deprived of their liberty.

In selecting the places of deprivation of liberty to be visited each year, the NPM takes into account both facilities that have not previously been visited and follow-up visits to others where Suggestions and Recommendations have been issued, and whose implementation must be effectively verified. It also considers the extensive information available to the different areas of work of the Defensor del Pueblo, which receive complaints from persons deprived of their liberty, as well as proposals from the mechanism's Advisory Council and other relevant sources of information. The person responsible for the facility attends visits at the time. It is worth highlighting the generally professional, transparent and cooperative reception that NPM visiting teams typically receive.

The NPM conducts an extensive annual information-gathering campaign through direct communication with facilities where persons are deprived of their liberty and with the responsible administrations. The data obtained —widely disseminated through the website of the Defensor del Pueblo (<https://www.defensordelpueblo.es/mnp/actividad/>)— allows for the analysis of variables and trends and guides the preventive work carried out by the mechanism.

Regarding the processes of constructive dialogue with the Administration, it should be noted that these are open processes in which the NPM conveys the conclusions of its visits, along with proposals for improvement aimed at strengthening the prevention of any situation that may lead to torture or ill-treatment. These are based on national and international legislation, as well as on the standards developed by the NPM from the reports of bodies such as the Committee against Torture (CAT), the Subcommittee on Prevention of Torture (SPT) and the European Committee for the Prevention of Torture (CPT). This dialogue takes place primarily with the Secretaría de Estado de Seguridad [Secretariat of State for Security] and its two subordinate directorates (Directorate-General for the Police and Directorate General for the Guardia Civil), the Secretaría General de Instituciones Penitenciarias (SGIP) [Secretariat General of Penitentiary Institutions], the regional ministries responsible for security in the autonomous communities with their own police forces (Mossos d'Esquadra, Ertzaintza, Policía Foral de Navarra and Policía Canaria), the regional ministries responsible for juvenile justice and healthcare, and local councils. A high level of cooperation with the NPM should also be highlighted, though there is scope for improvement in some cases.

In addition, the mechanism remains in contact with and monitors the analyses and proposals put forward by other bodies, such as the United Nations High Commissioner for Refugees (UNHCR) and the International Organisation for Migration (OIM). These are complemented by civil society organisations with a well-established track record in the prevention and reporting of torture and ill-treatment, victim support and legal advice, at international level —such as the Association for the Prevention of Torture, the Red Cross, Amnesty International and the Helsinki Committee— and at national level —such as the Comisión Española de Ayuda al Refugiado (CEAR), ACCEM, Irídia, the Servicio Jesuita a Migrantes, the Red de Organizaciones Sociales del Entorno Penitenciario (ROSEP) and the Asociación Pro Derechos Humanos, to cite just a few examples.

The report for 2024 included, as an annex —given its relevance and significance for the Defensor del Pueblo in its capacity as Spain's NPM— [General Comment No. 1 \(2024\)](#), relating to Article 4 of the Optional Protocol (places of deprivation of liberty), a text published by the Subcommittee on Prevention of Torture (SPT) on 4 July 2024.

This report reiterates the scope of that document. Its purpose is to clarify and address issues that may arise for States Parties, national preventive mechanisms, and other stakeholders regarding the obligations of those States under the Optional Protocol, particularly regarding the definition of places of deprivation of liberty. In doing so, the Subcommittee enables an effective and uniform interpretation and application of the Protocol.

The Subcommittee provides an unambiguous definition of the spaces and situations in which deprivation of liberty occurs, and thus where the monitoring mandate of national preventive mechanisms applies.

Finally, the General Comment highlights that Article 4(2) of the Optional Protocol defines the term “deprivation of liberty” as “any form of detention or imprisonment or the placement of a person in a custodial setting by order of a judicial or administrative authority or other public authority, in a public or private institution from which that person is not permitted to leave at will.” It thus recognises explicitly that the deprivation of liberty to be prevented may occur in both public and private settings.

Structure of the report

This 2025 National Preventive Mechanism (NPM) report follows a structure similar to previous years. The first chapter presents, in a series of tables, information on the actions conducted by NPM visiting teams during the year, together with the resolutions arising from those actions.

The second chapter sets out the findings and proposals derived from case files opened following visits to the following types of facilities:

- Detention centres for juvenile offenders [centros de internamiento para menores infractores-CIMI];
- penitentiary centres and hospital custody units;
- detention facilities and centres for foreigners;
- police and judicial holding cells.

The third chapter is devoted to actions under the ongoing cross-cutting NPM programmes: Programme on the prevention of gender-based discrimination, Programme on mental health, Programme on intellectual disability in places of deprivation of liberty, and Programme on deaths in custody. In addition to these programmes, the NPM also visits specific projects: one focusing on older people in prison, and another examining the impact of long-term deprivation of liberty within the prison system on individuals serving long sentences.

The final two sections are devoted to the investigation of allegations of torture and other cruel, inhuman, or degrading treatment or punishment, and to the activities of the mechanism in the areas of training, cooperation and outreach, respectively.

Other considerations

This report also addresses actions related to the [Concluding observations of the Committee against Torture \(CAT\), arising from its review of Spain’s seventh periodic report](#), considered at its 2026th and 2028th sessions, held on 20 and 21 July 2023, and

adopted at its 2034th session on 27 July 2023. These observations were widely disseminated in the NPM's 2023 report and were also referenced in the 2024 report.

The NPM reaffirms its commitment to contributing, as far as possible, to improving compliance with the recommendations set out in those observations.

It is also worth noting that the European Committee for the Prevention of Torture (CPT) visited the Autonomous Community of Cataluña in the final quarter of 2024 and will conduct a further visit to the rest of Spain in April and May 2025.

During its visit to Cataluña, the CPT delegation visited the following places of detention:

- Mossos d'Esquadra district police stations in Les Corts, Ciutat Vella, L'Hospitalet de Llobregat, Vilanova i la Geltrú and Ciutat de la Justícia, all in Barcelona;
- The Comisaría Provincial [provincial police station] de Policía Nacional [Spanish National Police] and the Comandancia de la Guardia Civil [Guardia Civil headquarters], Barcelona.
- The Brians I and Brians II (Sant Esteve Sesrovires, Barcelona), Lledoners (Sant Joan de Vilatorrada, Barcelona), Quatre Camins (Barcelona), the Centro Penitenciario de Jóvenes, and the Centro de Educación Juvenil Els Tillers (Mollet del Vallès, Barcelona) penitentiary centres.

During its 2025 visit, the CPT visited the following facilities:

- The Guardia Civil Command in Cádiz and Policía Nacional police stations in Cádiz, Jerez de la Frontera, Puerto de Santa María, Huelva, Madrid (Centro), Madrid (Tetuán), Madrid (Puente de Vallecas), Madrid (Latina), Madrid (Hortaleza-Barajas), the Registro Central de Detenidos [Central Detainee Register], the GRUME (Grupo de Menores de la Brigada Provincial de Policía Judicial [Juvenile Unit of the Provincial Judicial Police Brigade]) in Madrid, and the holding cells of the courts at Plaza de Castilla (Madrid);
- The penitentiary centres of Algeciras (Cádiz), Huelva, Madrid V (Soto del Real), Madrid VII (Estremera), Puerto II and Puerto III (Cádiz), and Sevilla II;
- The Centro de Menores Infractores (CIMI) Vicente Marcelo Nessi, in Badajoz (Extremadura).

The findings of these visits will also be analysed and followed up by the NPM to leverage collaboration arising from the work of different bodies mandated to carry out preventive visits to places of deprivation of liberty.

1 GENERAL DATA ON VISITS AND INTERVENTIONS

In 2025, the National Preventive Mechanism (NPM) conducted 63 visits to places of deprivation of liberty, resulting in 67 actions. From these actions, as well as from the ongoing case files processed during the reporting year, 396 resolutions were issued, including 96 Recommendations, 288 Suggestions and 12 Reminders of legal duties. This figure does not include many resolutions that were still in the process of being issued at the time of closing this report, and are therefore not reflected in the table below.

Actions in places of deprivation of liberty	67
Resolutions issued	396
Recommendations	96
Suggestions	288
Reminders of legal duties	12

Up-to-date data on the activities of the NPM can be accessed via its website: (<https://www.defensordelpueblo.es/mnp/actividad/>). Among other resources, this information includes the resolutions formulated and submitted to the competent authorities, as well as an interactive map showing all visits conducted since the NPM's activities began. Based on visits and actions, individual records are produced, including the conclusions, the resolutions arising from the corresponding inspection report, and the follow-up undertaken.

Data collection

In 2025, information was gathered from the sources regularly consulted by the NPM: the Public Prosecutor's Office; Secretariat of State for Justice; the Ministry of Defence; the Directorate General for the Police; the Secretariat General of Penitentiary Institutions; the Directorate-General of the Civil Guard; the Secretariat of State for Security; the General Immigration and Borders Police Headquarters; the Departments of Justice and Home Affairs of the Autonomous Community of Cataluña]; the Regional Ministry of Justice of the Basque Government; the regional administrations responsible for juvenile offender institutions; the regional administrations responsible for mental health units; the Security Support Centre; and the regional police forces.

This information is the basis of the statistics published alongside the NPM report and made available on the Defensor del Pueblo's website.

In addition to serving a public information function, this material supports the NPM's core mandate under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) by facilitating the selection of places of deprivation of liberty for visits.

Visits and interventions in places of deprivation of liberty

The NPM visits different types of facilities and settings where persons may be deprived of their liberty, as outlined above, including: CIMIs; penitentiary centres and hospital custody units; detention facilities and centres for foreign nationals; and police and court holding cells.

In addition, the NPM carries out visits within cross-cutting programmes, as previously described—the programme for the prevention of gender discrimination, the programme on intellectual disability, the mental health programme, and the programme on deaths in custody— as well as visits conducted on specific projects, including the project on older persons in prison and the project on the impact and effects of long-term deprivation of liberty in the penitentiary context for individuals serving lengthy sentences.

The table below sets out the data relating to the actions carried out, associated projects and programmes, and the places visited. In digital format, links are available to access the follow-up history for each case file.

Places of deprivation of liberty visited	Type of visit	Number of actions carried out
Court holding cells		2
Court holding cells, Calle Albarracín (Madrid)	General	1
Court holding cells, Catarroja (Valencia)	General	1
Short-term holding facilities for foreign nationals (CATE)		7
Centro de Atención Temporal de Extranjeros, Almería	General	1
Centro de Atención Temporal de Extranjeros, San Andrés (El Hierro)	General	1
Centro de Atención Temporal de Extranjeros, Arrecife (Lanzarote)	General	1
Centro de Atención Temporal de Extranjeros, Málaga	General	1
Centro de Atención Temporal de Extranjeros, Motril (Granada)	General	1
Centro de Atención Temporal de Extranjeros, Adeje (Tenerife)	General	1
Centro de Atención Temporal de Extranjeros, Polvorín de Barranco Seco (Gran Canaria)	General	1
Police stations and other custody facilities of the Policía Nacional		14
Comisaría de Distrito Madrid Chamartín	General	1
Comisaría de Distrito Madrid Chamberí	General	1
Comisaría Rey Fernando (Zaragoza)	General	1
Comisaría de Policía Judicial de Tráfico de la Policía Municipal, Madrid	General	1
Comisaría Local de Torrent (Valencia)	General	1
Comisaría Local de Xirivella (Valencia)	General	1
Comisaría Provincial de Guadalajara	General Disability Gender	3
Comisaría Provincial de Tarragona	General	1
Comisaría Provincial de León	General Disability Gender	3
Registro Central de Detenidos (Madrid)	General	1

.../...

Guardia Civil barracks and other places of custody		7
Comandancia de la Guardia Civil de Valladolid	General Disability Gender	3
Puesto de la Guardia Civil de Casetas (Zaragoza)	General	1
Puesto de la Guardia Civil de Lliria (Valencia)	General	1
Puesto de la Guardia Civil de Valdemoro (Madrid)	General	1
Puesto Principal de la Guardia Civil de Paiporta (Valencia)	General	1
Inadmissibility and asylum applicant rooms at border posts		5
Adolfo Suárez Madrid-Barajas Airport	General	1
Gran Canaria Airport	General	1
Josep Tarradellas Barcelona-El Prat Airport	General	1
Tenerife North Airport	General	1
Tenerife South Airport	General	1
Immigration detention centres (CIE)		1
Centro de Internamiento de Extranjeros, Algeciras (Cádiz)	General	1
Social integration centres (CIS)		1
Centro de Inserción Social Máximo Casado Carrera (Valladolid) and Centro de Inserción Social Victoria Kent (Madrid)	General	1
Juvenile offender institutions (CIMI)		8
Centro de Ejecución de Medidas Judiciales Altamira (Madrid)	General	1
Centro Educativo Virgen de Valvanera (La Rioja)	General Disability Gender	3
Centro de Internamiento para Menores Infractores Genil (Granada)	General	1
Centro de Internamiento para Menores Infractores La Cañada (Ciudad Real)	General Disability Gender	3
Penitentiary centres		11
Centro Penitenciario Albacete	General	1

.../...

Centro Penitenciario Valladolid	General	1
Centro Penitenciario Las Palmas I	Older Persons Mental health	2
Centro Penitenciario Las Palmas II	Older Persons Mental health	2
Centro Penitenciario Madrid IV (Navalcarnero)	General	1
Centro Penitenciario Pamplona	Mental health	1
Centro Penitenciario Puig de les Basses (Figueres, Girona)	Disability Gender	2
Centro Penitenciario Quatre Camins (Barcelona)	Older Persons	1
Mental health units		6
Mentalia Guadarrama (Madrid)	Mental health	1
Hospital Universitario 12 de Octubre (Madrid): short-stay and adolescent short-stay hospitalisation units	Mental health	1
Hospital Universitario Gregorio Marañón (Madrid): short-stay and adolescent short-stay hospitalisation units	Mental health	1
Complejo Asistencial de Segovia: short-stay mental health unit	Mental health	1
Complejo Universitario de Albacete: short-stay unit	Mental health	1
Complejo Hospitalario Universitario de Albacete: eating disorders unit	Mental health	1
Repatriation operations		3
FRONTEX operations in Albania and Georgia	General	1
FRONTEX Colombia (pre-departure)	General	1
UCER El Aaiún (Morocco)	General	1
Hospital custody units		2
Hospital custody unit, Hospital General Universitario de Albacete	General	1
Hospital custody units, Hospital Universitario Gregorio Marañón and Hospital Universitario 12 de Octubre (Madrid)	General	1
Total actions		67

The table below presents data on actions, broken down by autonomous communities and autonomous cities.

Number of centres visited by autonomous communities, cities and provinces	
Andalusia	5
Almeria	1
Centro de Atención Temporal de Extranjeros, Almería	
Cádiz	1
Centro de Internamiento de Extranjeros, Algeciras	
Granada	2
Centro de Atención Temporal de Extranjeros, Motril	
Centro de Internamiento para Menores Infractores Genil	
Málaga	1
Centro de Atención Temporal de Extranjeros, Málaga	
Aragon	2
Zaragoza	2
Comisaría de la Policía Nacional Rey Fernando	
Puesto de la Guardia Civil de Casetas	
Islas Canarias	11
El Hierro	1
Centro de Atención Temporal de Extranjeros San Andrés	
Lanzarote	1
Centro de Atención Temporal de Extranjeros, Arrecife	
Gran Canaria	6
Centro de Atención Temporal de Extranjeros, Polvorín de Barranco Seco	
Centro Penitenciario Las Palmas I	
Centro Penitenciario Las Palmas II	
Inadmissibility and asylum applicant rooms: Gran Canaria Airport	
Tenerife	3
Centro de Atención Temporal de Extranjeros, Adeje	
Inadmissibility and asylum applicant rooms: Tenerife North Airport	
Inadmissibility and asylum applicant rooms: Tenerife South Airport	
Castilla y León	7
León	3
Comisaría Provincial de León	
Segovia	1
Complejo Asistencial de Segovia: short-stay mental health unit	

.../...

Valladolid	3
Centro Penitenciario Valladolid	
Centro de Inserción Social Máximo Casado Carrera	
Comandancia de la Guardia Civil de Valladolid	
Castilla-La Mancha	10
Albacete	4
Centro Penitenciario Albacete	
Hospital General Universitario de Albacete: hospital custody unit	
Complejo Universitario de Albacete: short-stay unit	
Complejo Hospitalario Universitario de Albacete: eating disorders unit	
Ciudad Real	3
Centro de Internamiento para Menores Infractores La Cañada	
Guadalajara	3
Comisaría Provincial de Guadalajara	
Cataluña	5
Barcelona	2
Centro Penitenciario Quatre Camins	
Inadmissibility and asylum applicant rooms: Josep Tarradellas Barcelona-El Prat Airport	
Girona	2
Centro Penitenciario Puig de les Basses (Figueres, Girona)	
Tarragona	1
Comisaría Provincial de Tarragona	
Autonomous Community of Madrid	14
Madrid	14
Court holding cells, Calle Albarracín	
Centro Penitenciario Madrid IV (Navalcarnero)	
Centro de Ejecución de Medidas Judiciales Altamira	
Centro de Inserción Social Victoria Kent	
Comisaría de Distrito Madrid Chamartín	
Comisaría de Distrito Madrid Chamberí	
Comisaría de Policía Judicial de Tráfico de la Policía Municipal, Madrid	
Puesto de la Guardia Civil de Valdemoro	
Registro Central de Detenidos	
Inadmissibility and asylum applicant rooms: Adolfo Suárez Madrid-Barajas Airport	

.../...

Mentalia Guadarrama	
Hospital Universitario Gregorio Marañón and Hospital General Universitario 12 de Octubre: hospital custody units	
Hospital Universitario 12 de Octubre: short-stay and adolescent short-stay hospitalisation units	
Hospital Universitario Gregorio Marañón (Madrid): short-stay and adolescent short-stay hospitalisation units	
Autonomous Community of Navarra	1
Navarra	1
Centro Penitenciario Pamplona	
Autonomous Community of Valencia	5
Valencia	5
Court holding cells, Catarroja	
Comisaría Local de Torrent	
Comisaría Local de Xirivella	
Puesto de la Guardia Civil de Llíria	
Puesto Principal de la Guardia Civil de Paiporta	
La Rioja	3
La Rioja	3
Centro Educativo Virgen de Valvanera	
Total centres	63

The following table presents data on the members of the teams that carried out the visits.

Composition of the Task Forces	
25 visits with technical experts from other areas of the Defensor del Pueblo	
Centro de Atención Temporal de Extranjeros, Almería	
Centro de Atención Temporal de Extranjeros, Málaga	
Centro de Atención Temporal de Extranjeros, Motril (Granada)	
Centro de Atención Temporal de Extranjeros, Polvorín de Barranco Seco (Gran Canaria)	
Centro Penitenciario Albacete	
Centro Penitenciario de Valladolid	
Centro Penitenciario Las Palmas I	
Centro Penitenciario Las Palmas II	

.../...

Centro Penitenciario Pamplona
Centro de Internamiento de Extranjeros, Algeciras (Cádiz)
Centro de Inserción Social Máximo Casado Carrera (Valladolid)
Centro de Inserción Social Victoria Kent (Madrid)
Comisaría de Distrito Madrid Chamartín
FRONTEX Colombia (pre-departure)
Mentalia Guadarrama (Madrid)
Inadmissibility and asylum applicant rooms: Adolfo Suárez Madrid-Barajas Airport
Inadmissibility and asylum applicant rooms: Gran Canaria Airport
Inadmissibility and asylum applicant rooms: Josep Tarradellas Barcelona-El Prat Airport
Hospital General Universitario de Albacete: hospital custody unit
Hospital General Universitario de Gregorio Marañón (Madrid): hospital custody unit
Hospital Universitario 12 de Octubre (Madrid): hospital custody unit
Hospital Universitario 12 de Octubre (Madrid): short-stay and adolescent short-stay hospitalisation units
Hospital Universitario Gregorio Marañón (Madrid): short-stay and adolescent short-stay hospitalisation units
Complejo Universitario de Albacete: short-stay unit
Complejo Hospitalario Universitario de Albacete: eating disorders unit
19 multidisciplinary visits with external technicians
Centro Educativo Virgen de Valvanera (La Rioja)
Centro Penitenciario Albacete
Centro Penitenciario de Valladolid
Centro Penitenciario Las Palmas I
Centro Penitenciario Las Palmas II
Centro Penitenciario Madrid IV (Navalcarnero)
Centro Penitenciario Pamplona
Centro Penitenciario Puig de les Basses (Figueres, Girona)
Centro de Internamiento para Menores Infractores La Cañada (Ciudad Real)
Centro de Inserción Social Máximo Casado Carrera (Valladolid)
Mentalia Guadarrama (Madrid)
Hospital General Universitario de Albacete: hospital custody unit
Hospital General Universitario de Gregorio Marañón (Madrid): hospital custody unit

.../...

Hospital Universitario 12 de Octubre (Madrid): hospital custody unit
Hospital Universitario 12 de Octubre (Madrid): short-stay and adolescent short-stay hospitalisation units
Hospital Universitario Gregorio Marañón (Madrid): short-stay and adolescent short-stay hospitalisation units
Complejo Asistencial de Segovia: short-stay mental health unit
Complejo Universitario de Albacete: short-stay unit
Complejo Hospitalario Universitario de Albacete: eating disorders unit
2 facilities visited jointly with regional parliamentary commissioners
Centro de Atención Temporal de Extranjeros (CATE), Polvorín de Barranco Seco (Gran Canaria)
Inadmissibility and asylum applicant rooms: Gran Canaria Airport
8 facilities visited jointly with members of the NPM Advisory Council
Court holding cells, Calle Albarracín (Madrid)
Centro de Internamiento para Menores Infractores Genil (Granada)
Puesto de la Guardia Civil de Valdemoro (Madrid)
Inadmissibility and asylum applicant rooms: Josep Tarradellas Barcelona-El Prat Airport
Hospital General Universitario de Gregorio Marañón (Madrid): hospital custody unit
Hospital Universitario 12 de Octubre (Madrid): hospital custody unit
Hospital Universitario 12 de Octubre (Madrid): short-stay and adolescent short-stay hospitalisation units
Hospital Universitario Gregorio Marañón (Madrid): short-stay and adolescent short-stay hospitalisation units

It is again important to emphasise the value of the NPM being informed of the concerns and complaints submitted to the Defensor del Pueblo by persons deprived of their liberty, insofar as such complaints relate to matters relevant to the mechanism’s preventive mandate. The participation of technical staff from the Defensor del Pueblo’s specialist areas —whose work concerns individuals in custody, detention or imprisonment— in visits organised by the NPM is the most effective means of maximising the impact of the work carried out by preventive mechanisms operating within an Ombudsman institution, such as that of Spain.

Staff working in places of deprivation of liberty

Inspection of places of deprivation of liberty requires particular attention to the conditions in which detainees are held, the treatment they receive, and the material conditions of their confinement. At the same time, the Defensor del Pueblo also takes into account the

conditions under which staff working in these institutions—including penitentiary centres, juvenile detention centres and facilities for foreign nationals— carry out their duties, whether in custodial, healthcare or educational roles. As noted throughout this report, structural challenges are frequently identified, including organisational shortcomings and insufficient staffing levels, which in turn affect staff working conditions and safety. In some cases, staff highlight the need for greater support regarding their working conditions, the resources available to them, and access to ongoing training to respond to the evolving and often complex demands of their work.

2 VISITS, FINDINGS AND PROPOSALS

2.1 CENTROS DE INTERNAMIENTO DE MENORES INFRACTORES (CIMI) [DETENTION CENTRES FOR JUVENILE OFFENDERS]

2.1.1 National Preventive Mechanism (NPM) Actions

Visits

In 2025, the National Preventive Mechanism (NPM) carried out four visits to juvenile offender institutions. Two were follow-up visits—to Centro de Internamiento de Menores Infractores La Cañada (Fernán Caballero, Ciudad Real) (visit [21/2025](#)) and the Centro Educativo Aranguren, in Navarra (visit [32/2025](#)), and the other two were initial visits—to Centro de Ejecución de Medidas Judiciales Altamira (Madrid) (visit [2/2025](#)), Centro de Internamiento de Menores Infractores Genil (Granada) (visit [43/2025](#)).

The centres La Cañada and Virgen de Valvanera were also visited in the programme on gender and the programme on intellectual disability, the findings of which are addressed in the corresponding sections of this report.

Although responsibility for all such centres lies with the respective autonomous communities, only Centro de Ejecución de Medidas Judiciales Altamira is directly managed by the competent public authority. Fundación Diagrama manages the centres La Cañada, Virgen de Valvanera and Genil.

The Committee Against Torture (CAT), in its concluding observations on Spain's seventh periodic report, recalled in paragraph 30 the obligation of the State party to ensure full compliance with the prohibition on imposing disciplinary measures on minors deprived of their liberty that may amount to cruel, inhuman or degrading treatment, including solitary confinement. As part of the follow-up to these recommendations, the NPM continued in 2025 to assess compliance with this disciplinary practice against international human rights standards, with particular attention to the use of isolation measures in juvenile detention centres.

Information gathering

During 2025, the NPM received relevant information from the competent authorities regarding several areas of oversight. This information relates to 2024, the most recent period for which data are available.

- **Allegations or complaints of ill-treatment.** Among the information received, the following cases are particularly noteworthy due to their number: at Centro de

Internamiento Educativo para Menores Infractores Valle de Tabares (Santa Cruz de Tenerife), 14 complaints were recorded alleging ill-treatment by staff; at Centro de Internamiento Educativo para Menores Infractores La Montañeta (Las Palmas), 11 complaints were submitted concerning alleged assaults and threats by staff; at Centro Regional Zambrana (Valladolid), 11 complaints were received against staff; at Centro de Cumplimiento de Medidas Judiciales Vicente Marcelo Nessi (Badajoz), 7 complaints were filed against security staff concerning allegedly irregular conduct in the use of restraint measures.

- **Self-harm.** In 2024, the NPM observed a high number of incidents of self-harming behaviour in certain centres, such as Centro de Internamiento Educativo para Menores Infractores Valle de Tabares (Santa Cruz de Tenerife), where 765 cases were recorded. In addition, 139 cases of self-harm were reported at the Centro Educativo y de Internamiento por Medida Judicial in Zaragoza; 94 cases at Centro de Internamiento Educativo para Menores Infractores La Montañeta (Las Palmas); 113 cases at Centro Regional Zambrana (Valladolid); and 66 cases at Centro de Atención Específica Montefiz (Ourense).
- **Suicide prevention programme.** In some centres, suicide prevention programmes are applied systematically to all minors upon admission, without distinction, as part of the standard admission protocol. This is the case, for example, at Residencia Socioeducativa Jaume I (Picassent, Valencia), the juvenile justice centre in Zaragoza, and Centro de Internamiento Educativo para Menores Infractores Valle de Tabares (Santa Cruz de Tenerife).
- **Use of restraints.** During 2024, a persistently high number of restraint measures were also observed. This trend remains significant, as illustrated, among other cases, by Centro de Ejecución de Medidas Judiciales Teresa de Calcuta (Brea de Tajo, Madrid), where mechanical restraint was used on 208 occasions. At Casa Juvenil de Sograndio (Asturias), mechanical restraint was used on 128 occasions, and provisional isolation was applied on 124 occasions. At Centro de Cumplimiento de Medidas Judiciales Vicente Marcelo Nessi (Badajoz), provisional isolation was applied on 133 occasions, and rubber batons were used in four instances, making it the only centre where this method of restraint has been recorded. At Centro Educativo Ibaiondo (Zumárraga, Gipuzkoa), provisional isolation was applied on 69 occasions, and at Centro Educativo Els Tíl·lers, girls' unit (Mollet del Vallès, Barcelona), it was used on 65 occasions.
- **Separation from the group.** About the disciplinary measure of separation from the group —comparable to provisional isolation— the information gathered by the NPM indicates that in 2024, 960 such sanctions were imposed at Centro L'Alzina (Palau-Solità i Plegamans, Barcelona). A further 605 sanctions involving separation from the group were recorded at Centro de Internamiento de Menores

Infraestructuras Tierras de Oria (Oria, Almería), and 399 at Centro de Internamiento de Menores Infraestructuras La Marchenilla (Algeciras, Cádiz).

2.1.2 Oversight areas. Challenges and progress

Admission, statistics and variables

- **Admission.** During visits to Centro Educativo Virgen de Valvanera (visit [32/2025](#)) and Centro de Internamiento de Menores Infraestructuras La Cañada (visit [21/2025](#)), the NPM observed that newly admitted minors are placed in admission/observation units and, in some cases, in isolation rooms. Within these observation units, newly admitted minors share space with others serving disciplinary sanctions or reassigned following behavioural incidents. These units are more restrictive than other residential units, and the range of activities available is very limited. The admission process should take place in a more welcoming and supportive environment that reflects the rehabilitative purpose of detention. Accordingly, Recommendations were issued calling for a separate area to be designated for new admissions. At Centro de Internamiento de Menores Infraestructuras Genil (visit [43/2025](#)), it was noted that newly admitted minors are housed separately during the observation phase due to behavioural issues or following re-admission after absconding. This may be considered an example of good practice.
- **Admission information.** In most of the centres visited, it was found that the information document provided at admission is not drafted in a clear and accessible manner for minors, and does not include information on procedures for reporting incidents of violence in the centre (visits [2/2025](#), [21/2025](#) and [43/2025](#)).¹ The NPM therefore issued several Suggestions. The Regional Ministry of the Presidency, Justice and Local Administration of the Autonomous Community of Madrid accepted the Suggestion and will promote a review of the information document provided at admission.

During 2025, the Government of Cantabria accepted the Recommendation to include in the admission dossier information on violence prevention protocols and the role of the wellbeing and protection coordinator, as provided in Article 35 of

¹ Ley Orgánica 8/2021, de protección integral a la infancia y la adolescencia frente a la violencia [Fundamental Act 8/2021 of 4 June on the comprehensive protection of children and adolescents against violence] provides, in Article 18, as follows: “All educational centres, at the beginning of each school year, as well as all establishments where minors usually reside, at the time of admission, shall provide children and adolescents with all relevant information—which must in all cases be available in accessible formats— on procedures for reporting situations of violence established by the public authorities and applied in the centre or establishment, as well as on the persons responsible in this area.”

the Fundamental Act 8/2021 of 4 June on the comprehensive protection of children and adolescents against violence (visit [4/2024](#)).

- **Lack of statistics.** For minors previously under the child protection system, the recording of this variable is essential, as it is a key indicator of vulnerability. The absence of this information prevents providing an educational response tailored to their needs. Following the visit to Centro de Internamiento de Menores Infractores La Cañada, it was confirmed this variable is not recorded, and a Suggestion was therefore issued.

In 2025, the Recommendation made the previous year, following visits to the centres in Aranguren (Navarra) and Urgozo (Bizkaia), concerning the inclusion of information on prior involvement in the child protection system in annual reports, was accepted by the competent authorities of the Governments of Navarra and the Basque Country (visits [25/2024](#) and [7/2024](#)).

- **Incorporation of variables.** During the 2025 visits to La Cañada and Centro Educativo Virgen de Valvanera residential juvenile centres, the absence of disaggregated data on Roma minors was identified. Therefore, this information is not included in the centres' annual reports. The absence of this variable limits the ability to design effective programmes and hinders the implementation of interventions tailored to this group's specific characteristics and needs.² Ethnic minorities may face structural disadvantages that require positive or compensatory measures to ensure real and effective equality. These measures are intended to address historical and social inequalities and ensure equitable access to rights, resources and opportunities.

Health aspects

- **Medical examination.** Medical screening at admission constitutes a fundamental safeguard, enabling the early identification of minors at risk due to health conditions or specific needs.³ During the 2025 visits, the NPM confirmed

² The National Strategy for the Equality, Inclusion and Participation of the Roma Population 2021–2030 highlights that, in order to determine which positive measures should be adopted, it is necessary to fulfil the commitments set out in the Durban Declaration and Programme of Action and to follow the recommendations of international bodies, as well as the EU Anti-Racism Action Plan, which states: “The availability of accurate and comparable data is essential for policymakers and citizens to assess the scale and nature of discrimination and to design, adapt, monitor and evaluate policies.”

³ The report of the European Committee for the Prevention of Torture [CPT/Inf(2015)1-part] on Juveniles Deprived of Their Liberty Under Criminal Legislation, states in paragraph 115 that a doctor—or, failing that, a qualified nurse operating under a doctor's supervision—properly interview and carry out medical examinations on all juveniles as soon as possible after admission to the facility, preferably on the same day of arrival. When conducted appropriately, this medical assessment upon admission should enable the facility's health service to identify

that the required medical examination is conducted within 24 hours of admission. However, during its visit to Centro de Ejecución de Medidas Judiciales Altamira (visit [2/2025](#)), the NPM noted that a clinical admission report was illegible. A Suggestion was therefore issued—and subsequently accepted—to ensure that medical documentation is clear and legible.

In 2025, the NPM received a response from the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra, which did not accept the Reminder of legal duties issued in 2024 (visit [25/2024](#)), citing difficulties in recruiting medical professionals to attend Centro Educativo de Aranguren.

- **Access to medical records.** Centres do not have access to the digital medical records held by the regional health services. The lack of integration between health records during detention and the digital medical record system may affect the quality and continuity of care, and may limit the rights of the minors concerned. A Recommendation was issued to the Regional Ministry of Health of the Autonomous Community of Castilla-La Mancha (visit [21/2025](#)) to facilitate access to digital medical records for the healthcare professional responsible at the centre.
- **Transfers to hospitals and health centres.** During interviews with minors at Centro de Internamiento de Menores Infractores La Cañada, the NPM received complaints about the impact on their dignity of being transferred to health centres and hospitals. In particular, minors reported they are required to wait for medical attention in the same area as other patients, while Guardia Civil officers handcuffed and escorted them. In this context, the right to honour and personal image is not guaranteed, which may affect their dignity. This situation may also discourage attendance at medical appointments, due to the requirement to wear handcuffs and the fear of being seen by acquaintances. Accordingly, the NPM issued a Recommendation calling for a separate waiting area for minors deprived of their liberty who attend health centres and hospitals under police escort.⁴

juveniles with potential health issues (e.g. drug addiction, sexual abuse, or suicidal tendencies). Early identification of such issues will facilitate the implementation of preventive measures within the centre's medical, psychological, and social care programme.

⁴ Article 35(5) of Real Decreto 1774/2004, por el que se aprueba el Reglamento de la Ley Orgánica 5/2000, sobre responsabilidad penal de los menores [Royal Decree 1774/2004 of 30 July, approving the Regulations implementing Fundamental Act 5/2000 on the criminal responsibility of minors], provides as follows: "In accordance with the provisions of the sole additional provision, the director of the centre may request that the law enforcement authorities carry out the transfer, escort and movement of minors where there is a substantiated risk to life or physical integrity or to property. In all cases, such transfers, escorts and movements shall be carried out with due respect for the dignity, safety and privacy of the minors."

During 2025, the competent authorities of the Centro Socio Educativo Juvenil of the Autonomous Community of Cantabria and Centro Educativo de Aranguren (Navarra) (visits [4/2024](#) and [25/2024](#)) indicated that it is difficult to provide separate waiting areas for minors deprived of their liberty due to the lack of adequate facilities to ensure such separation.

- **Injury reports.** The NPM observed that injury reports are not always drawn up (visit [43/2025](#)). In addition, they are not always completed correctly, and copies are not consistently provided to the injured person (visit [2/2025](#)). The Recommendation was therefore issued—and accepted by the Regional Ministry of the Presidency, Justice and Local Administration of the Autonomous Community of Madrid—for healthcare staff to receive training on the preparation of injury reports, to ensure compliance with the Defensor del Pueblo's Recommendations set out in its report [Injury reports on people deprived of their liberty](#).
- **Violence protocols.** During visits carried out in 2025, the NPM identified incidents of violence both during detention and before admission to the centres. All centres visited have a protocol for prevention, detection and response to bullying, abuse or any other form of violence. To ensure the effective implementation and operation of this protocol, juvenile offender institutions should have a designated well-being and protection coordinator.⁵ This role was identified at the centres La Cañada and Genil (visits [21/2025](#) and [43/2025](#)). However, the admission information provided did not include details of the protocol or role of the well-being and protection coordinator, and a Suggestion was therefore issued accordingly.

In 2025, the NPM received a response from the Regional Ministry of Social Inclusion, Youth, Families and Equality of the Autonomous Community of Cantabria (visit [4/2024](#)), confirming acceptance of the Recommendation to establish a register of cases involving the application of violence protocols.

Mental health care of minors

- **Psychiatric and psychological care.** Deprivation of liberty has a significant and often negative impact on minors' mental health. At Centro de Internamiento de Menores Infractores La Cañada (visit [21/2025](#)), the NPM found there were insufficient spaces for psycho-educational intervention, although more than 76%

⁵ In accordance with Article 35 of Fundamental Act 8/2021 of 4 June on the comprehensive protection of children and adolescents against violence: "All educational centres attended by minors, regardless of their ownership, must have a well-being and protection coordinator for students, who shall act under the supervision of the person responsible for the management or ownership of the centre."

of the minors were serving a therapeutic detention measure. This circumstance requires individualised psychological intervention, and a Suggestion was therefore issued to provide the necessary spaces for such intervention to take place under appropriate conditions.

Three of the centres visited had a therapeutic module (visits [21/2025](#), [32/2025](#) and [43/2025](#)). In general terms, a high prevalence of psychopathological disorders was observed. These centres have dedicated professional teams that provide therapeutic care. These include psychiatry, psychology, and social work professionals, among others, who maintain ongoing coordination with the competent mental health services to ensure continuity of care for treatment prescribed within the public healthcare system during the enforcement of the detention measure, and to support its continuation once the measure has ended.

In 2024, the NPM found that 70% of the minors present at Centro Educativo Aranguren at the time of the visit were being treated with antipsychotics or antidepressants (visit [25/2024](#)). In 2025, the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra stated, in relation to the Recommendation to promote outdoor sports and leisure activities that could help reduce sleep medication, that work would be scheduled to provide access to the garden area, and that at that time, only two minors were taking sleep medication.

- **Suicide and self-harm prevention protocols.** In its most recent reports, the NPM stressed the importance of addressing suicide risk prevention and self-harming behaviour in separate protocols, since these are two realities that require differentiated treatment.

In 2025, three of the centres visited had specific protocols for suicide prevention and self-harming behaviour. All centres had a register in which the activation of both protocols is recorded. As an example of good practice, it is worth noting that at Centro de Internamiento de Menores Infractores La Cañada, the self-harm register specifies the reason for each episode, distinguishing whether it relates to expressions of frustration, difficulties in emotional regulation, crises, release behaviour or strategies to calm anxiety. This broad and differentiated conceptualisation of self-harming behaviour, with express motivation, facilitates the adoption of therapeutic and educational responses tailored to the nature of each situation, as the NPM has emphasised in recent years.

In 2025, the NPM received responses from the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra and the Department of Justice and Human Rights of the Basque Government,

accepting the Recommendations issued by the NPM in 2024 regarding the provision of a specific protocol for the prevention of self-harming behaviour.

- **Staff.** At Centro Educativo Virgen de Valvanera and Centro de Internamiento de Menores Infractores La Cañada, the NPM found that, at the time of the visit, 28.6% and 17% of resident minors, respectively, belonged to the Roma community, and there was no professional mediator. The NPM therefore recommended that the Administration adopt appropriate measures to ensure the intervention's effectiveness for these minors, given their large numbers and particular vulnerability. In visits to centres in other autonomous communities, the NPM has found that some centres work with organisations from the Roma associative movement.

Prevention of high-risk situations

- **Use of restraints.** Proper recording of the use of restraint measures in the corresponding register is essential to ensure their legitimate use, enable oversight of their correct application, and serve as a key tool for protecting minors and professionals.

During the visit to Centro de Internamiento de Menores Infractores La Cañada, the NPM requested the restraint measures register, and the centre provided up to four different documents. Several anomalies were also observed, including errors and confusion in the numbering of entries, as well as a failure to identify the staff involved in the restraint. The NPM therefore issued a Suggestion that restraint measures be recorded in a single register, numbered from January to December; that provisional isolation be numbered in that register; and that the full name of all staff involved in the restraint be recorded.

During the visit to Centro Educativo Virgen de Valvanera, the NPM found that not all restraint measures were recorded in the register and that there were data-entry errors. The mechanism stressed the importance of correcting these deficiencies, since otherwise, oversight of the proper application of such measures cannot be guaranteed.

In 2025, the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra reported that physical examinations following the use of restraint measures continued for up to three days after the measure ended.⁶ The Reminder of legal duties is therefore considered not to have been accepted.

⁶ Article 59(4) of Fundamental Act 5/2000 of 12 January, regulating the criminal responsibility of minors, provides that: "In all cases in which force is used, the application of restraint measures

- **Staff training** Concerning staff training on the matters covered by Fundamental Act 8/2021, on the comprehensive protection of children and adolescents against violence, the NPM found no such training had been provided in 2023 or 2024, and that for 2025, training had only been scheduled for six professionals at Centro de Internamiento de Menores Infractores La Cañada.

The mechanism issued a Suggestion that the Regional Ministry of Social Welfare of Castilla-La Mancha promote and guarantee specialised initial and ongoing training on the fundamental rights of children and adolescents for professionals who have contact with minors. During the visit to Centro de Internamiento de Menores Infractores La Cañada, analysis of the documentation provided also showed that between 2020 and 2024, three bone fractures and one shoulder dislocation had occurred among detained minors due to physical restraint. Information was therefore requested regarding the detailed content of the training provided to educational control auxiliary staff on non-painful control and restraint techniques.

In 2025, the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra accepted the Recommendation to provide ongoing training to all security staff on reduction techniques appropriate for minors and on de-escalation techniques.

- **Full-body searches.** The NPM has repeatedly expressed concern in its reports about the routine use of body searches, as this constitutes an unjustified intrusion into privacy and is a highly invasive measure. In this regard, following the visit to Centro de Internamiento de Menores Infractores La Cañada (visit [21/2025](#)), a Reminder of legal duties was issued, requiring searches to be conducted in accordance with the principles of necessity and proportionality established by regulation.⁷ The absence of a register recording personal searches led to Suggestions being issued in this regard during visits to Centro Educativo Virgen de Valvanera and Centro de Internamiento de Menores Infractores Genil.

In 2025, in the processing of the file relating to Centro de Internamiento Educativo para Menores Infractores La Montañeta, Las Palmas de Gran Canaria (visit [103/2019](#)), the NPM received information on the disproportionate use of

shall require a physical examination of the inmate by a medical practitioner within a maximum period of 48 hours, with the corresponding medical report being issued.”

⁷ Article 54(5)(a) of Royal Decree 1774/2004 of 30 July, approving the Regulations implementing Fundamental Act 5/2000 of 12 January, regulating the criminal responsibility of minors, provides that: “The search of the person, clothing and belongings of the minor shall comply with the following rules: a) Its use shall be governed by the principles of necessity and proportionality and shall always be carried out with due respect for the dignity and fundamental rights of the person. Where means of equal effectiveness are available, preference shall be given to electronic means.”

personal searches at the centre: in 2023, 2,326 ordinary searches, 619 extraordinary searches and 101 full searches were carried out; between January and February 2024, 410 ordinary searches, 199 extraordinary searches and 13 full searches were carried out. The NPM therefore issued a Recommendation that the reasons for carrying out ordinary, extraordinary and full searches be reviewed, and that their use be exceptional and justified. This Recommendation was accepted by the Regional Ministry of Social Welfare, Equality, Youth, Children and Families of the Autonomous Community of the Islas Canarias.

- **Disciplinary procedure.** The NPM again found that self-harming behaviour is subject to disciplinary sanctions (visits [21/2025](#) and [32/2025](#)). It therefore issued a Recommendation to prevent disciplinary sanctions for self-harming behaviour and to ensure a preventive and therapeutic approach to such behaviour, in accordance with the position of the European Committee for the Prevention of Torture (CPT), expressed in its report [CPT/Inf \(2021\) 27](#) following its 2020 visit to Spain, in which it recommended ensuring that acts of self-harm cease to be subject to disciplinary punishment. Persons who self-harm or are at risk of doing so must always be treated from a therapeutic rather than punitive perspective.
- **Isolation.** In all the centres visited, the NPM found that the sanction of separation from the group is applied. In this situation, minors are completely alone, all their belongings are removed, they eat lunch and dinner in their room, and they receive no education. Although the measure has decreased, it always represents a risk and may have negative consequences for minors' physical and mental health. This was illustrated during one of the visits, when the NPM learned that a minor, while separated from the group, had been cutting his arms and banging his head against the wall. Despite the situation, the professionals who visited him did not recommend suspending, modifying or lifting the sanction, as provided for by regulation.⁸ The NPM therefore issued a Suggestion that alternative disciplinary sanctions be prioritised over separation from the group (visit [32/2025](#)), and a Recommendation that the sanction imposed be lifted where the minor's physical or mental health is affected (visit [21/2025](#)).

During the visit to Centro de Internamiento de Menores Infractores Genil, excessive severity was observed in the sanction of separation from the group, since the bathroom door is locked. As a result, whenever a minor needs to use it, they depend on staff opening it, which has at times caused problems due to

⁸ Article 66(4) of Royal Decree 1774/2004 of 30 July, approving the Regulations implementing Fundamental Act 5/2000 of 12 January, regulating the criminal responsibility of minors, provides as follows: "The doctor or psychologist shall visit the minor daily and inform the director of the centre of the minor's physical and mental health, as well as of the advisability of suspending, modifying or lifting the sanction imposed."

delays in responding to the call. The concluding observations on Spain's seventh periodic report ([CAT/C/ESP/CO/7](#)), paragraph 30, from the Committee Against Torture expressly prohibit the imposition on minors deprived of liberty of disciplinary measures that involve isolation. Likewise, following its visits to Spain in 2016 and 2020, the European Committee for the Prevention of Torture (CPT) has expressed a clear trend against any isolation regime ([CPT/Inf\(2017\)34](#) and [CPT/Inf\(2021\)27](#)).

- **Facilities.** During the visit to Centro Educativo Virgen de Valvanera (visit [32/2025](#)), the NPM found that two rooms intended for use in situations involving self-harm or aggressive behaviour lack call bells. In an emergency, minors would therefore be unable to call for assistance.

During the visit to Centro de Internamiento de Menores Infractores La Cañada, it was found that there is only one visit room, which is very limited, given that the centre has 73 places and was fully occupied at the time of the visit. The NPM therefore issued a Suggestion that another visits room be provided.

At the same centre, there was also no room for minors entitled to intimate visits, contrary to the provisions of Royal Decree 1774/2004.⁹ A Reminder of legal duties was therefore issued.

In 2025, a response was received from the Regional Ministry of Social Inclusion, Youth, Families and Equality of the Autonomous Community of Cantabria (visit [4/2024](#)) regarding the refurbishment of the restraint area, indicating that steps had been initiated to carry out the refurbishment works. Also in 2025, a response was received from the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra, following the 2024 visit to Centro Educativo Aranguren, accepting the Recommendation to guarantee access to toilets at any time and without excessive delay. The response also indicated that the commitment to remove the squat toilet and to install video surveillance cameras in the rooms used for isolation and restraint remained pending.

⁹ Article 40(8) of Royal Decree 1774/2004 of 30 July, approving the Regulations implementing Fundamental Act 5/2000 of 12 January, regulating the criminal responsibility of minors, provides as follows: "Minors who, for a period of more than one month, have not had any weekend leave or ordinary leave shall be entitled, upon request to the centre, to intimate visits with their spouse or with a person linked to them by an equivalent relationship of affection, provided that such relationship is duly accredited. At least one visit per month shall be authorised, with a minimum duration of one hour. These visits shall take place in suitable facilities within the centre and with the utmost respect for the privacy of those concerned."

Exercise of rights and guarantees

- **Complaints.** The NPM has continued to find, during its visits to Centro de Ejecución de Medidas Judiciales Altamira and Centro de Internamiento de Menores Infractores Genil, that when a person wishes to submit a complaint, complaint forms are not available and must be requested from educational staff. Some minors also stated that, on occasion, difficulties were encountered when requesting a complaint form (visits [2/2025](#) and [43/2025](#)).

At Centro de Internamiento de Menores Infractores La Cañada (visit [21/2025](#)), in addition to requesting the complaint form from educational staff, minors also had to submit the complaint to those staff members. This system does not guarantee a safe and confidential channel for reporting an assault, ill-treatment or any incident suffered during detention. The NPM therefore issued a Suggestion that an appropriate complaint-collection system be established, ensuring that the content of complaints is accessible only to the centre's management and that forms are available without requiring staff to request them.

2.2 PENITENTIARY CENTRES AND HOSPITAL CUSTODY UNITS

2.2.1 National Preventive Mechanism (NPM) actions in penitentiary centres

During 2025, the Defensor del Pueblo, in its capacity as the National Preventive Mechanism (NPM), carried out three follow-up visits to penitentiary centres under the Secretariat General of Penitentiary Institutions, Ministry of the Interior: Centro Penitenciario de Albacete (visit [6/2025](#)), Centro Penitenciario de Valladolid (visit [14/2025](#)) and Centro Penitenciario de Madrid IV (visit [31/2025](#)). The mechanism also visited the social integration centres Máximo Casado in Valladolid and Victoria Kent in Madrid (visit [19/2025](#)). In addition, within the framework of the specific projects on older persons in prison and on the impact and effects of long-term deprivation of liberty, it visited Centro Penitenciario de Las Palmas I (visit [62/2025](#)) and Centro Penitenciario de Las Palmas II (visit [65/2025](#)).¹⁰

Regarding centres under the Catalan prison authority, the NPM visited the Centro Penitenciario de Quatre Camins in Barcelona (visit [73/2025](#)) for the first time as part of the specific project on older persons in prison. The purpose was to assess their specific situation in that penitentiary centre, identify circumstances that may constitute discrimination, improper treatment, or ill-treatment, and promote the adoption of measures to prevent such occurrences.

¹⁰ The visits to the penitentiary centres in Gran Canaria will be reported in the next annual report, without prejudice to the possibility of consulting their outcome on the NPM website.

The NPM also visited Centro Penitenciario Puig de les Basses in Figueres (Girona) within the framework of the intellectual disability and gender programmes, and Centro Penitenciario de Pamplona within the framework of the mental health programme. These visits are addressed in the corresponding sections of this report (Chapter 3).

In April 2025, the Council of Europe's European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited seven prisons managed by the Secretariat General of Penitentiary Institutions.

2.2.2 Supervisory areas in penitentiary centres. Challenges and progress

Facilities and video surveillance

In line with the previous [annual report](#), during visits carried out in 2025, the NPM found that video surveillance systems still do not comply with the requirements set out in Instruction 4/2022 of 28 July issued by the Secretariat General of Penitentiary Institutions.

Significant deficiencies were identified in the penitentiary centres visited this year, particularly in the system coverage of common areas and residential units, notably at Centro Penitenciario de Madrid IV, as well as delays in equipping video-monitored rooms to conduct full-body searches, as provided for in the aforementioned instruction.

All penitentiary centres visited had a register of footage extracted from the video surveillance system, which represents a significant improvement. However, the NPM also observed —based on records relating to the recording, extraction, and transmission of incident footage— that, in some cases, the obligation to extract images and forward them ex officio to the authorities responsible for the investigation was not complied with, resulting in registers not being kept up to date.

The NPM continues to consider it necessary for central services to monitor the proper completion of these registers at intervals to be determined, in line with the Recommendation initially issued following the visit to Centro Penitenciario Mallorca (visit [29/2023](#)). These shortcomings may render video surveillance ineffective as evidence in administrative or judicial investigations.

It is essential to ensure that footage which may assist in investigative proceedings is preserved and forwarded ex officio to the competent authority, particularly given that recordings are retained for between one and three months, and penitentiary centres are not always able to comply with these timeframes, meaning that, in the absence of a request, recordings may be deleted.

The widespread implementation of body-worn cameras for custodial staff in penitentiary centres in Cataluña remains pending. The competent authorities have assessed the pilot project's results very positively, noting that these devices have

significantly improved internal security and strengthened legal safeguards. However, their rollout across all centres is not currently planned due to budgetary constraints —a situation viewed negatively by the NPM, which will continue to raise this issue in future actions.

Personnel

Adequate staffing levels and effective coordination between professionals across the different areas are essential to ensure the proper management and operation of penitentiary centres. In this regard, the difficulties highlighted in the previous annual report persist.

A shortage of medical staff in prisons under the General State Administration persists. According to data provided by the Administration, open recruitment processes for the Penitentiary Health Service have been launched since 2014, but positions remain unfilled due to a lack of applicants in both Family and Community Medicine and Psychiatry. There is insufficient participation in recruitment processes, as well as a high number of withdrawals after successful selection and before completion. Between 2018 and 2022, the proportion of posts filled in Family and Community Medicine was 13%, 11%, 9% and 7%, respectively. Similarly, in Psychiatry, 75%, 20%, 20% and 10% of the posts were filled in those same years. Although the number of posts offered has increased in recent years, launching new recruitment processes has not resolved this structural problem. Data from centres visited in 2025 are particularly revealing: Centro Penitenciario de Albacete had a 100% shortfall in medical staff; Centro Penitenciario de Valladolid, 86%; Centro Penitenciario de Madrid IV, 89%.

It is important to acknowledge the efforts of those centres that maintain a medical presence on weekdays despite these constraints, such as the Centro Penitenciario de Valladolid. However, having only one professional responsible for all medical needs in a penitentiary centre poses risks to the quality of care provided to inmates and to the health of the medical staff, whose workload significantly exceeds the maximum working hours established by regulation.

This shortage of medical staff also results in an increased workload for nursing staff, delays in the mandatory examination and documentation of injuries, and, in some cases, the absence of medical examinations during periods of isolation. In the absence of medical staff, nursing personnel are responsible for triaging cases and deciding whether to refer inmates to the hospital; in some instances, these decisions are made by non-healthcare staff.

Among the autonomous communities hosting prisons under the General State Administration, only Navarra has assumed responsibility for penitentiary healthcare, in

accordance with the sixth additional provision of Act 16/2003 of 28 May on the cohesion and quality of the National Health System.

As noted in the [NPM's 2024 annual report](#), in April of that year, the General Council of Medical Associations urged autonomous communities to assume the legally established responsibilities in penitentiary healthcare, as the current situation is leading to a continuous loss of healthcare professionals in the prison system and creating a serious deficit in care for the prison population. In this regard, several national and international bodies have expressed concern about the shortage of medical staff in prisons, including prison supervisory judges and the United Nations Committee Against Torture.

The 2025 Annual Report of the Public Prosecutor's Office (Fiscalía General del Estado) notes that the prosecution offices in Alicante, Valencia, the Balearic Islands and Algeciras (Cádiz) reported deficiencies in prison healthcare and its ongoing deterioration.

The approval in 2025 by the Department of Justice and Human Rights of the Basque Autonomous Community of an Order establishing action protocols to update penitentiary administrative procedures in the area of healthcare is viewed positively. These protocols guide both primary and specialised care, delivered within and outside penitentiary facilities, with particular reference to compulsory medical treatment and the management of hunger strikes.

Finally, during visits carried out in 2025, the NPM observed that penitentiary staff were equipped with the new uniform regulated by Instruction 6/2024 of 30 October issued by the Secretariat General of Penitentiary Institutions, which established its mandatory use from February 2025.

Registration and communication systems

The NPM considers it essential that staff working within the different prison authorities have access to the information necessary to perform their duties effectively, as this is the only way to ensure compliance with their assigned responsibilities.

In 2023, the NPM issued a Recommendation to the prison authorities regarding the need to interconnect their prison IT systems. The mechanism also considered it necessary for this measure to include interoperability between the software systems used by healthcare staff to manage inmates' medical records.

Although the different administrations do not dispute the importance of this issue, in 2024, the Secretariat General of Penitentiary Institutions indicated that it was not among its priority actions. The Recommendation was therefore not considered accepted.

The NPM nevertheless views positively any initiative aimed at improving the IT systems of the different administrations. In this regard, in 2024, the digitalisation of the

classification and allocation procedure under the Sistema Informático Penitenciario (SIP [Prison IT System]). That Administration informed the NPM that the database is also being adapted to improve the recording and monitoring of matters relating to the disciplinary regime and to life imprisonment subject to review, in line with previous Recommendations.

Registers and protocols on coercive measures

During visits carried out in 2025, the NPM identified significant inconsistencies in the registers used to document regime-related actions. At Centro Penitenciario de Albacete, Centro Penitenciario de Valladolid, and Centro Penitenciario de Madrid IV, certain incidents and coercive measures applied were not recorded in the IT system. The NPM stressed the importance of addressing these deficiencies, as failure to do so would render ineffective any supervision carried out by central services via the SIP. A Recommendation was therefore issued to the Secretariat General of Penitentiary Institutions to review the criteria used to assess the seriousness of incidents to ensure their correct classification and recording in the SIP.

The NPM reiterated the Recommendation addressed to the Department of Justice and Democratic Quality of the Autonomous Community of Cataluña, calling for the discontinuation of the automatic practice of conducting full body searches on all persons admitted to penitentiary centres, as provided for in Circular 1/2008 of the Secretariat for Criminal Enforcement, Reintegration and Victim Support. This Recommendation has not been accepted on the grounds of ensuring the safety of both inmates and staff. The NPM considers that this practice undermines human dignity and contradicts the exceptional nature of full body searches, as established in penitentiary regulations and constitutional case law.

Since 2014, this institution has highlighted the importance of establishing a formal protocol for medical examinations of inmates held in isolation, as provided in Articles 72 and 254 of the Prison Regulations. The guidelines issued to date by the Secretariat General of Penitentiary Institutions have proved insufficient and have failed to prevent the persistence of the identified deficiencies. The lack of in-house medical resources has led the Administration to recruit medical professionals from outside the penitentiary system. For this reason, the NPM reiterated its Recommendation, emphasising the need to provide specific training on regime-related procedures for medical staff who are not part of the Penitentiary Health Service.

All prison authorities recognise the need for legislative reform to adapt the disciplinary regime to current realities. The NPM considers that this reform should be prioritised to guide practice in penitentiary centres and prevent the persistence of the most common deficiencies. In this regard, the 2025 Annual Report of the Public Prosecutor's Office

notes that the disciplinary offences set out in the Prison Regulations should be revised, as some are obsolete while other forms of conduct remain unpunished due to the absence of appropriate provisions.

Regarding the NPM's reiterated recommendations on developing specific operational protocols, the Department of Justice and Human Rights of the Basque Autonomous Community's preparation of the document "Régimen cerrado. Principios inspiradores" (Closed Regime: Guiding Principles) in 2025 is considered good practice. This document includes valuable strategies for managing the needs of individuals classified as first degree and will serve as a basis for adopting new internal regulations and operational protocols governing the activities of penitentiary centres, once these units are fully implemented in prisons in that autonomous community.

However, the NPM regrets the decision of that prison authority to discontinue the paper-based register for the application of coercive measures. Since March 2025, records of the application of coercive measures under Article 72 of the Prison Regulations have been maintained exclusively through the Sistema Informático Penitenciario (SIP). The NPM supports the incorporation of registers into the SIP, particularly in matters that directly affect fundamental rights. However, until the SIP is improved or the Administration introduces an enhanced system of its own, the NPM considers it necessary to reiterate its Recommendation to maintain a parallel physical register of the application of coercive measures, whose complementary use has proven effective in identifying deficiencies.

Special focus on documentation and procedures in cases of allegations, complaints and reports of alleged ill-treatment

It should also be noted that, in 2025, the NPM observed certain improvements in the completion of registers relating to allegations of ill-treatment handled by penitentiary centres under the Secretariat General of Penitentiary Institutions. However, despite the clarity of the protocols issued by that Administration, deficiencies persist in many centres, particularly regarding the ex officio transmission of images of alleged ill-treatment, the preparation of injury reports, the taking of statements from the alleged victim, and the collection of objective evidence. On an annual basis, the NPM requests information from the various prison authorities regarding administrative and judicial proceedings related to allegations of ill-treatment. A significant proportion of cases are discontinued at an early stage, making it difficult to conclude that thorough, sufficient and effective investigations have been carried out. The fact that cases of alleged ill-treatment reach higher courts such as the Constitutional Court or the European Court of Human Rights clearly highlights the need to improve investigative practices in this area.

The Secretariat General of Penitentiary Institutions indicated that it is reviewing several of the NPM's Recommendations regarding the documentation of alleged ill-treatment. On the one hand, the possibility of expanding the data recorded in the current model for registering allegations, to ensure that the evidence submitted for the investigation is duly recorded. On the other hand, the inclusion of this register in the prison information system. The implementation of these Recommendations would represent a significant step forward in the oversight carried out by the central services and, consequently, in compliance with the protocols governing the documentation and investigation of allegations of ill-treatment.

In 2025, the NPM observed that Centro Penitenciario de Madrid IV was not using the official register model, although it did record the actions and checks carried out by the management to clarify the facts. This is considered good practice and aligns with the Recommendation issued following the visit to Centro Penitenciario Puerto II (Cádiz) (visit [10/2023](#)), which called for expanding the official register model to include evidence provided by the Administration during investigations.

The Department of Justice and Human Rights of the Basque Government implemented the Recommendation to expand the model for recording allegations of ill-treatment by incorporating data on evidence submitted to the courts, including relevant details such as dates or, where applicable, the reasons why such evidence was not provided. In line with this Recommendation, a new protocol for the management and oversight of complaints of torture and ill-treatment submitted by inmates was approved by Order of 1 May 2025 of the Department of Justice and Human Rights of the Basque Government.

The NPM welcomes the development and approval of this protocol, which operates independently of the protocol previously used by the General State Administration. The protocol includes, as an annex, a new register for recording and monitoring complaints of ill-treatment, to be implemented in each penitentiary centre under this administration. Notably, it introduces a specific section on allegations of discriminatory treatment, as well as the possibility —also recommended— of including information on evidence submitted to the judicial authority, such as photographs or video surveillance footage extracted. The effective implementation of this protocol, together with the proper completion of the new register, will be monitored during future visits to penitentiary centres managed by the Basque Country prison authority.

Injury reports

The documentation of injuries in a context of deprivation of liberty is essential for the investigation and prevention of ill-treatment. In 2014, the Defensor del Pueblo published the report [Los partes de lesiones de las personas privadas de libertad](#) [*Injury reports on*

[people deprived of their liberty](#)], which set out Recommendations to standardise and define the minimum data to be included in such reports, to meet Spain's international obligations and facilitate judicial investigation.

The deficiencies identified in the documentation of injuries in penitentiary centres under the Secretariat General of Penitentiary Institutions reflect a structural problem, primarily linked to the lack of on-site medical staff, as noted above, and to insufficient training in the Istanbul Protocol. The NPM considers the shortage of medical staff a risk in situations requiring direct medical assessment, physical examination, urgent diagnostic decision-making, or the adoption of regime-related measures. It also raises concerns when staff working in custodial settings or regularly with this population are not familiar with the Protocol.

During visits in 2025, the NPM observed that injury reports contained only very limited descriptions. These reports require improvement to ensure accurate recording of the type of injury, its shape, dimensions, precise location and any other characteristics that may help determine how it occurred. It is also necessary to record the origin of the injuries as described by the inmate and to provide them with a copy of the report. Cases were identified in which inmates alleging ill-treatment were not examined by medical staff, as well as instances of self-harm where no injury report was issued. In addition, injury reports issued during remote on-call shifts contained only minimal identifying details and did not clearly state that the examination had been conducted via telemedicine.

In 2025, the NPM reiterated the Recommendation issued following the visit to Centro Penitenciario de Huelva (visit [62/2021](#)), calling for centres to be equipped with cameras or similar devices to document injuries photographically, and for the OMI system (Oficina Médica Informatizada [Computerised Medical Records System]) to allow such material to be uploaded.

This Recommendation is of particular importance in light of the instruction issued on 13 February 2025 by the Secretariat General of Penitentiary Institutions, addressed to the heads of healthcare services in penitentiary centres, requiring nursing staff to issue "injury reports" describing the injuries, but without providing a clinical assessment or recording the origin of the injuries as reported by the inmate. From a medico-legal perspective, the NPM noted that it is not appropriate to replace injury reports issued by a doctor with reports prepared by nursing staff, as this task exceeds their professional remit and contravenes Article 355 of the Criminal Procedure Act, which assigns this function to medical practitioners. Furthermore, systematically excluding injuries from medical assessment undermines the principle of equivalence with the general population established in Rule 5.1 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). This results not only in a lower standard of care in the event of injury, but also in the inability to properly document such injuries for legal

purposes, thereby constituting an additional form of discrimination against an already vulnerable population. For this reason, it is considered essential that inmates are examined by medical staff at the centre or at the reference hospital.

Information gathered during visits to prisons under the Secretariat General of Penitentiary Institutions indicates that healthcare services continue to fall short of their role in preventing situations of ill-treatment.

Among the main developments introduced by the Basque Government's Order establishing protocols to update penitentiary administrative procedures is the formalisation of medical examinations for inmates held in isolation, in line with Recommendations repeatedly issued by the NPM since 2014. This requires, before the commencement of a disciplinary sanction, a binding medical report assessing whether there are medical grounds to suspend the sanction or, where appropriate, to postpone its implementation. The new protocol further provides that, once the sanction has commenced, the inmate will be monitored by the healthcare team. However, it does not specify the frequency of such monitoring, which the NPM considers should be daily, in accordance with Article 254 of the Prison Regulations.

The NPM regrets, however, that the Order does not refer to injury reports. It should be recalled that, although the Department of Justice of the Basque Government, in response to a Recommendation issued by the NPM, developed a new injury report model that was generally considered appropriate, it allows nursing staff to sign.¹¹ The Department also indicated that healthcare personnel continue to use the Servicio Vasco de Salud-Osakidetza model, which is deemed inadequate. A Recommendation was therefore addressed to the Basque Health Service to adopt the model proposed by the prison authority, with the suggested amendments, or to develop a new model in line with the Recommendations issued.

In addition, the mechanism has identified deficiencies in the documentation of injuries in penitentiary centres in Cataluña. Accordingly, a Recommendation was issued to both the Department of Justice and the Department of Health of the Autonomous Community of Cataluña, calling for a revision of the injury report model currently in use. As a result, a new form is currently being developed and is expected to include a section on compatibility assessment and an option to incorporate photographic evidence. The NPM welcomes these developments and will monitor both the formal approval of the new injury report model and its effective implementation.

¹¹ The NPM has repeatedly emphasised the need to remove any reference to nursing staff signing injury reports and to remind penitentiary centres that such reports must always be signed by a doctor.

It is also considered a positive step that, in 2025, the Department of Health of the Autonomous Community of Cataluña issued instructions requiring injury reports to be prepared regardless of the cause of the injury—including self-harm—and that a copy be provided to the patient. The NPM will monitor compliance with these instructions.

Another positive development is the information provided by the Department of Health regarding training for medical staff on injury documentation. In particular, refresher training on the Istanbul Protocol (Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹²) has been scheduled for healthcare staff working in penitentiary centres under its responsibility.

However, no progress has been made in the implementation of the Recommendation issued in relation to the automatic forwarding of medical injury reports by healthcare services to the courts, which would ensure strict compliance with Articles 262 and 355 of the Criminal Procedure Act, although the Catalan authorities have expressed their willingness to work towards this objective.

Regime restrictions and coercive measures

In 2025, the NPM observed during its visits situations in which regime restrictions were imposed without judicial oversight, as well as management orders that lacked justification or were based on standardised reasoning. These did not specify the nature of the restrictions on activities—whether priority or complementary—taking into account the individual intervention or treatment programme of the inmates, nor, where applicable, the limitations on the personal belongings they may keep in their cells or the time allocated for outdoor exercise, and also lacked a defined time frame for such restrictions. Accordingly, the Recommendation initially issued in the report on the visit to Centro Penitenciario de Soria (visit [15/2023](#)) was reiterated, calling for the adoption of detailed regulations governing restrictions on the regime to prevent improper practices.

The physical register of coercive measures maintained by the Secretariat General of Penitentiary Institutions for the prisons visited in 2025 records the number and type of measures applied, whether the required medical examination was carried out, and whether the matter was reported to the supervising court. Furthermore, the section on other circumstances related to their application provides valuable information on the use of coercive measures, as observed in the Centro Penitenciario Madrid IV case. The NPM stressed that this information should also be incorporated into the electronic register, in

¹² United Nations, Office of the High Commissioner for Human Rights, *Istanbul Protocol. Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 2004

view of the ongoing digitalisation of the Administration and to improve oversight of the safeguards established in the regulations governing the use of coercive measures.

Data collected during the 2025 visits show that the most frequently applied coercive measure was temporary isolation, while the use of mechanical restraints —both for regime and healthcare purposes— was very limited in prisons under the General State Administration.

The NPM has continued to monitor the Recommendations issued following the visit to Centro Penitenciario Brians II (Barcelona) (visit [34/2024](#)), with a particular focus on the use of mechanical restraints on inmates. It has been verified that the Suggestion to replace the video surveillance system installed in restraint cells with one capable of recording audio is currently being implemented.

The Department of Justice and Democratic Quality of the Autonomous Community of Cataluña has not accepted the Recommendation concerning the regulation of a maximum period during which a person deprived of liberty may be subjected to restraint for regime-related reasons. Nor has the Recommendation been accepted, for the time being, to issue guidance to Catalan prisons on the need to discontinue practices involving isolation and solitary conditions while inmates are included in the suicide prevention programme (PPS). In this regard, the NPM reiterates the Recommendation issued following the visit to Centro Penitenciario Ponent (Lleida) (visit [23/2022](#)), which was not accepted, to extend the prohibition on applying the mechanical restraint protocol to persons held in prison psychiatric units to those placed in ordinary units who present mental health or self-harm risk factors.

Exercise of fundamental rights for the reintegration of inmates

The right to communicate

In 2025, as part of the follow-up to the visit to the Centro Penitenciario de Cuenca (visit [35/2024](#)), the NPM was informed that tariffs had been adjusted. At present, if inmates make full use of their right to communicate, they spend approximately €160 or €244 per month, depending on whether they use telephone calls or video calls. In addition, a new contract is to be tendered with the expectation of achieving further tariff reductions.

The NPM considers that the Secretariat General of Penitentiary Institutions must take measures to ensure that the right to communicate is accessible to all inmates. Account must also be taken of the most recent amendment to the Prison Regulations, introduced by Royal Decree 268/2022 of 12 April, in response to developments in information and communication technologies, which sets as its main objectives the promotion of communication and the reduction of the digital divide affecting inmates. For these reasons, the Mechanism reiterated its Recommendations regarding the need to reduce

the cost of video calls and to expand the circumstances in which the prison authority bears such costs.

With regard to communications in prisons under the Secretariat General of Penitentiary Institutions, it was confirmed that meetings with defence lawyers or legal advisory services were conducted without physical separation, as established in Instruction 2/2024 of 28 May.

The right to remain close to the family and social environment and conditional release

In 2025, the NPM also visited the Centros de Inserción Social Máximo Casado (Valladolid) and Victoria Kent (Madrid) and issued a Suggestion to ensure that direct admission to a dependent centre is feasible, without requiring individuals to travel to a penitentiary centre to complete the admission process.

A Recommendation was also addressed to the Secretariat General of Penitentiary Institutions to analyse in detail whether progression to third grade is being restricted for inmates residing in the provinces of Palencia, Soria and Toledo, as well as whether it is necessary to establish open units, dependent centres or other open-regime facilities in these provinces to facilitate reintegration into their family and social environment and, where appropriate, to adopt the necessary measures. In its response, the Administration indicated that the absence of facilities for serving third-grade sentences in these provinces does not reduce the possibilities for progression, given that almost half of inmates classified in third grade are subject to electronic monitoring and that other alternative measures may be adopted. It also stated that a thorough analysis of the variables affecting progression in these provinces will continue, and that necessary adjustments will be made.

In 2025, the Catalan prison authority revised Instruction 5/2020 on the protocol for admission and classification in open prisons. However, despite the improvements and the expansion of covered cases, mandatory admission requirements for access to third grade remain in place, are not provided for in higher-ranking legislation, and the previously issued Recommendation has therefore been reiterated.

With regard to conditional release, the NPM issued a Recommendation calling for the legal framework governing the suspension of sentence and the granting of conditional release to be aligned, to ensure clear regulatory consistency among this measure, the sentence imposed, and the effective time spent in custody. It is particularly necessary to amend the minimum suspension period of two years established in Article 90.5 of the Código Penal [Criminal Code], to prevent this period from exceeding the remaining term of the sentence. This would promote a more proportionate and fair application of this

measure, in line with the progressive system for the execution of sentences and with the principles and criteria set out in prison legislation on conditional release.

The NPM also expressed concern regarding the lack of clarity in the legal framework governing the expungement of criminal records in cases where suspension of sentence and conditional release are granted.

Judicial oversight of administrative decisions

In its [2022 Annual Report](#), the NPM indicated that the General Council of the Judiciary (Consejo General del Poder Judicial) had accepted the Recommendation aimed at ensuring immediate judicial oversight of decisions by the prison authority affecting the rights of persons deprived of liberty.

On 20 February 2025, the Agreement of the Plenary of the General Council of the Judiciary of 12 February was published, introducing a new paragraph nine to Article 42 of Regulation 1/2005 of 15 September on ancillary aspects of judicial proceedings. This establishes that the duty judge shall deal with urgent and non-deferrable matters that would otherwise fall within the competence of the prison supervisory courts on non-working days and hours, to guarantee the protection of inmates' rights and legitimate interests.

The NPM welcomes this regulatory development, which will make it possible to address, inter alia, situations such as extraordinary leave or cases where urgent medical treatment must be authorised.

2.2.3 Hospital custody units

The National Preventive Mechanism (NPM) carried out three visits to hospital custody units, specifically those located at the Hospital General Universitario de Albacete (visit [5/2025](#)), the Hospital General Universitario Gregorio Marañón (visit [49/2025](#)) and the Hospital Universitario 12 de Octubre (visit [52/2025](#)), the latter two in Madrid.

Hospital custody units are places of deprivation of liberty of particular complexity: they are facilities intended for the admission and medical care of persons deprived of liberty transferred from prisons, which remain functionally dependent on the prison authority despite being located within hospitals of the public health system, and where the State security forces carry out custody and supervision of admitted persons.

The NPM has observed that this plurality of competent authorities, and in particular the lack of coordination among them, hampers the implementation of the Recommendations issued regarding these facilities. For this reason, in 2024, a case file was opened to gather information from the various administrations involved, to ensure that the organisational shortcomings identified in these units do not adversely affect the

rights of persons deprived of liberty, and to move towards more uniform functioning across these facilities. This follow-up has continued throughout 2025.

The information provided shows positively that, through the Prison Information System (SIP), it is possible to obtain data on admissions to these units, as the statistical analysis of this information is essential for assessing the need to create new facilities, expand existing ones, identify staffing requirements for custody and even detect a higher prevalence of health conditions or diseases in certain areas.

Facilities and procedures

The admission of persons deprived of liberty to hospital custody units (HCUs) follows procedures similar to those for other patients, either through the emergency department or through admission for scheduled hospitalisations. In these units at Hospital 12 de Octubre and Hospital Gregorio Marañón —healthcare centres with high patient volumes— admission takes place through a long, busy corridor. A Suggestion was therefore issued to improve access in both cases to reduce risks associated with long routes, particularly when they pass through areas with high footfall.

Regarding patient rooms, those located in hospital custody units should be equipped with the same furnishings as the rest of the hospital complex, unless security considerations dictate otherwise. For this reason, the NPM monitors that rooms are equipped with televisions and, given the situation of patients admitted to these units, that their use is free of charge and unrestricted. This Recommendation has been accepted in several units visited, such as those at Hospital General de Ciudad Real (visit [30/2018](#)), Complejo Asistencial Universitario de León (visit [45/2021](#)), Hospital Miguel Servet de Zaragoza (visit [47/2022](#)), Hospital Universitario Son Espase's in Palma de Mallorca (visit [32/2023](#)), and, more recently, Hospital General Universitario de Albacete (visit [4/2025](#)).

On the other hand, bars on patient room windows are not advisable, as they pose an injury risk. In this regard, the good practice observed in the unit at Hospital Universitario 12 de Octubre is viewed positively: the windows are fitted with reinforced safety glass that does not compromise ventilation, temperature, or lighting.

Video surveillance

Analysis of data from the Secretariat General of Penitentiary Institutions shows that, consistent with observations in prisons, there is considerable variation in video surveillance systems. While in some facilities the number of cameras is sufficient and the technical characteristics of the recording systems are, in principle, adequate, some units lack surveillance cameras altogether, and others have cameras that are not enabled for recording or are inoperative.

The NPM issued a Recommendation to the aforementioned Secretariat General—still pending acceptance at the time of closing this report—calling for instructions to be issued to prisons to assess the situation and implement the NPM's parameters regarding the coverage, placement, and technical specifications of cameras in hospital custody units within its remit. The Suggestion issued following the visit to Hospital General Universitario de Albacete to review the hospital's current video surveillance system and replace the monitors used to view camera footage was accepted.

This institution reiterates its position that video surveillance systems are a fundamental tool for preventing ill-treatment, and that their coverage should extend to all common areas, avoiding direct, continuous focus on the patient. This is without prejudice to the installation of video surveillance in rooms specifically designated for mechanical restraints, as discussed below.

Mechanical restraints

The NPM generally discourages the use of restraints; however, where they are applied, it considers it good practice—as observed at Hospital Universitario 12 de Octubre (Madrid)—to have a room equipped with a bed fitted with straps for mechanical restraint, in accordance with the principles of proportionality, exceptional use and subsidiarity set out in Instruction 1/2022 of 19 January issued by the Public Prosecutor's Office on the use of mechanical or pharmacological restraint measures in psychiatric units, mental health facilities and residential or social care centres for older persons or persons with disabilities.

In the case of the Hospital Custody Unit at Hospital General Universitario Gregorio Marañón (Madrid), a Suggestion was issued to provide a room specifically designated for mechanical restraints, as none currently exists, given that psychiatric patients from prisons are occasionally admitted to this unit.

Profile of persons admitted to hospital custody units

Hospital custody units at Hospital Gregorio Marañón and Hospital 12 de Octubre (Madrid) admit inmates from prisons in Madrid for any reason or clinical speciality, except in cases of childbirth.

As a general rule, inmates in semi-liberty regimes, as well as persons subject to other forms of deprivation of liberty—such as police detention—are admitted to ordinary wards in hospitals. However, during the visit to the unit at Hospital Gregorio Marañón (Madrid), the NPM observed that persons who are routinely detained at Adolfo Suárez Madrid-Barajas Airport on suspicion of drug trafficking involving substances concealed within their bodies are also admitted to this unit. These individuals remain under medical and police supervision until the substances are recovered.

Such persons should not be admitted to a hospital custody unit —dependent on the prison authority— until, where appropriate, their procedural status changes to that of remand prisoners. However, in at least one case, it was verified that the patient was admitted to the unit as a detainee rather than as a prisoner, acquiring the latter status only after the hearing provided for in Article 505 of the Criminal Procedure Act, presumably conducted by videoconference, and the subsequent issuance of an order for pre-trial detention by the duty investigating court.

The high likelihood that pre-trial detention will be ordered in such cases, together with the formal requirement that these individuals must acquire prisoner status to be admitted to a unit dependent on the prison authority, must not lead to an undue acceleration or excessive simplification of judicial proceedings, which could undermine the right to effective judicial protection recognised in Article 24 of the Constitution and, in particular, the procedural safeguards contained therein. The NPM addressed a Recommendation to the Secretariat of State for Security —pending acceptance— calling for the issuance of the necessary instructions to review, in this respect, the protocol of the Detainee Escort and Custody Unit within the Security and Protection Area of the Madrid Provincial Public Security Brigade.

Documentation and practice of custody in hospital custody units (HCU)

The NPM stresses the importance of proper documentation of custodial duties carried out by the State security forces. In this regard, a Recommendation was addressed to the Secretariat of State for Security —pending acceptance— on the need to review Instruction 8/2009, which aims to ensure coordination between the authorities involved in the transfer and custody of persons deprived of liberty when they are taken from prisons to external facilities. This review should ensure that the transfer form allows prisons to include relevant information for the police officers responsible for custody, such as whether the individual is included in the Comprehensive Mental Health Care Programme (PAIEM) or the Suicide Prevention Programme (PPS).

In addition, following visits to Hospital Gregorio Marañón and Hospital 12 de Octubre (Madrid), a Recommendation —pending acceptance— was issued to ensure that custody records for persons deprived of liberty are properly completed, in accordance with the new Instruction 10/2025 of the Secretariat of State for Security, which updates the comprehensive police detention protocol. It should also be ensured that a copy is properly archived to allow traceability and verification of the actions carried out.

Regarding custodial practice, the Mechanism emphasised that the presence of security personnel during medical care should not be routine. However, the General Police Directorate did not accept the Recommendation to establish a coordinated protocol between the Secretariat General of Penitentiary Institutions and the Ministry of

the Interior, aimed at ensuring that the presence of police officers is strictly limited to what is required by healthcare staff for safety purposes, thereby respecting the confidentiality to which persons deprived of liberty are entitled as patients.

Healthcare for persons deprived of liberty without admission to a hospital custody unit (HCU)

In recent years, the NPM has observed that, due to the persistent shortage of medical staff in prisons, there has been a significant increase in the number of inmates transferred to healthcare facilities without admission to a hospital custody unit, either for emergency treatment or for scheduled consultations. For this reason, the NPM has considered it appropriate to extend its scope of action to these situations, which had not previously been addressed.

It is noteworthy, as a model of good practice, that Hospital General Universitario de Albacete has had, since 2013, a protocol to optimise medical care for the prison population. This includes measures such as scheduling medical appointments for inmates at times of lower public attendance. In this way, necessary medical interventions can be carried out more efficiently, risks minimised, and the use of police resources optimised, while safeguarding inmates' dignity.

At the time of the visit to the two units in the Autonomous Community of Madrid, neither had an approved operational protocol. However, in both cases, draft protocols were under development. The NPM issued a Recommendation to the Regional Ministry of Health of the Autonomous Community of Madrid to ensure that, when designing the operational protocols for both hospitals, staff from all administrations responsible for their management are involved, to ensure comprehensive and coherent content that facilitates coordination.

To improve healthcare and achieve greater coordination between administrations, a Recommendation was also issued to the Regional Ministry of Health of Castilla-La Mancha, following the visit to Hospital General Universitario de Albacete, to take the necessary steps to enable the collection of data on healthcare provided to persons deprived of liberty through the IT systems of hospitals and public health centres. This Recommendation, accepted but pending implementation, will be subject to follow-up.

The NPM also issued a Recommendation to incorporate into the clinical records of the public healthcare system all referral documents issued by prisons, as these contain relevant information to ensure continuity of care, such as the reason for referral, a summary of prior clinical history, and prescribed medications. This Recommendation, accepted by the competent authority in Castilla-La Mancha, was also addressed to the Regional Ministry of Health of the Autonomous Community of Madrid. In the latter case, following observations made during visits to Hospital General Universitario Gregorio

Marañón and Hospital Universitario 12 de Octubre, it was further recommended that discharge reports include a section detailing the medication administered to the patient, as well as a treatment plan to be followed upon return to the penitentiary centre.

The NPM considers that insufficient medical information about persons deprived of liberty who are treated in two different healthcare systems may lead to contradictory medical decisions. From this perspective, a Recommendation was issued to the Regional Ministry of Health of the Autonomous Community of Madrid to include, within healthcare staff training programmes, content relating to specific health programmes applied in the prison context, such as Plan REDUCES, a clinical intervention strategy aimed at progressively and safely reducing the use of psychotropic medication. This Recommendation was pending acceptance at the time of closing this report.

2.3 PLACES AND DETENTION FACILITIES FOR FOREIGN NATIONALS

2.3.1 Holding rooms for inadmissible persons and applicants for international protection at international airports

During 2025, following the visit carried out by the National Preventive Mechanism (NPM) (visit [26/2025](#)), together with the Migration and Equality Department of the Defensor del Pueblo, to Adolfo Suárez Madrid-Barajas Airport, this institution has monitored the implementation of the measures addressed both to the General Police Directorate and to the airport operator, AENA.

Through this monitoring, it has been possible to identify the difficulties that arise when responsibilities of different public administrations converge in situations affecting persons deprived of liberty, as is the case in these airport facilities, which are located in buildings managed by AENA, while the Policía Nacional carries out custody functions. To improve conditions for persons held in airport facilities and to guarantee their rights, this institution has reiterated the following issues:

Maintenance of bathrooms, furniture and sleeping facilities

During the visit, the NPM once again observed the poor condition of certain mattresses and covers in both the men's and women's holding rooms at Madrid-Barajas Airport. It also noted that some bathrooms were broken or completely out of service. Accordingly, it reiterated the need to adopt the necessary measures to repair or replace deteriorated beds, mattresses, and covers in the facilities for applicants for international protection and persons refused entry to Spain, and to repair and bring into operation the non-functioning bathrooms. Such repairs or replacements must be recorded in a maintenance logbook, indicating both the date the repair was requested and the date it was actually carried out.

Access to personal mobile devices and Wi-Fi

The NPM observed that applicants for international protection and persons refused entry to Spain are unable to access their mobile devices. Nor has a Wi-Fi network been made available for their use. Both issues have been resolved in other airports, such as Barcelona-El Prat, without the competent authorities explaining this discrepancy. It is important to ensure that the necessary conditions are in place for individuals required to remain in these facilities to use their mobile devices—both for communication and to access necessary documents— without prejudice to the adoption of appropriate measures to guarantee the security and privacy of other users and of the officials responsible for custody.

Public telephone terminals

In the same vein, the NPM reiterated the need to install a sufficient number of public telephone terminals in these facilities, so that applicants for international protection and persons refused entry to Spain can communicate with their families and relatives, as well as with their legal representatives or the organisations responsible for their defence.

Isolation room protocol

Both the men's and women's facilities include a room specifically designated for isolating individuals who, in the view of custody officers, require such a measure. The NPM has insisted on establishing a protocol governing its use, specifying the applicable procedures and grounds, and ensuring that all uses are recorded, including the duration of any stay. It has also highlighted the need to install an intercom system and audio-enabled video surveillance in each of these rooms.

During 2025, the NPM also carried out visits to the airports of Barcelona-El Prat (visit [38/2025](#)), Gran Canaria (visit [17/2025](#)), Tenerife Norte (visit [56/2025](#)) and Tenerife Sur-Reina Sofía (visit [58/2025](#)), which led to the initiation of actions along the lines described in the preceding paragraphs.

2.3.2 Centros de atención temporal de extranjeros (CATE) [Short-term holding centres for foreign nationals]

The CATE are specific police detention facilities in which, unlike the cells found in other premises of the State security forces, detention is not based on the investigation of an offence and the detainee being brought before a court, but rather on the irregular entry into Spanish territory of foreign nationals who are consequently subject to the relevant administrative procedure to determine whether they are entitled to remain in the territory on the grounds established by law, or whether their return should be ordered.

The operation of these centres is not without difficulties for the Policía Nacional, which must ensure that humanitarian assistance is provided to people who have just disembarked, often after an arduous sea crossing and sometimes in large groups, while also carrying out police duties involving the custody of detainees and the investigation of possible offences.

In 2025, the NPM continued its actions concerning these facilities through visits to the centres in Almería (visit [28/2025](#), together with the Migration and Equality Department and the Security and Justice Department of the Defensor del Pueblo), Barranco Seco, in Gran Canaria (visit [16/2025](#), together with the Migration and Equality Department), Málaga (visit [29/2025](#), together with the Migration and Equality Department and the Security and Justice Department), Motril, in Granada (visit [30/2025](#), together with the Migration and Equality Department and the Security and Justice Department), San Andrés, in El Hierro (visit [54/2025](#)), Arrecife, in Lanzarote (visit [53/2025](#)), and Adeje, in Tenerife (visit [55/2025](#)).

Access to outdoor areas and movement

It is advisable for persons detained in these centres to have access to outdoor areas during their stay. To this end, and taking into account the geographical location of these facilities, in areas such as the Islas Canarias or the Mediterranean coast, where they are exposed to many hours of sunlight each day, the facilities must be equipped with awnings or other forms of shade, and spaces must be provided in which detained persons can move around, while safeguarding the necessary security.

Furniture and sleeping facilities in good condition

Regardless of the duration of detention in these CATE, their furniture and sleeping facilities must be kept in good condition, and sleeping on the floor is unacceptable. The NPM insisted that all such centres should have rooms with bunk beds and direct access to bathrooms and, where possible, automatic locking systems, replacing the unfurnished cells with poor lighting or ventilation that remain in place at the CATE in Almería.

Availability of personal mobile phones

The NPM notes that, from the start of detention until they depart from the CATE, foreign nationals have their mobile phones removed. Furthermore, detained persons are not allowed to make telephone calls to third parties, a right provided for in Instruction 10/2025 of the Secretariat of State for Security, which regulates the comprehensive police custody procedure (section 6.6). These measures prevent contact with the outside world, causing unnecessary suffering to foreign nationals and to their families and relatives, who are unable to know that they have reached dry land. This lack of communication may also

impair the proper exercise of their right of defence by restricting their ability to communicate with their lawyer.

In the Mechanism's view, detained foreign nationals should be allowed to keep their mobile phones so they can remain in contact with the outside world. Alternatively, all detained persons should be clearly informed that they may call a third party to report their detention, and the necessary means to do so should be provided at the start of their custody.

Complaints and suggestions protocol

The NPM once again insists that instructions be issued to ensure that CATE has a complaints and suggestions book on its premises and that information about its existence is displayed in detention areas in different languages.

2.3.3 Centros de internamiento de extranjeros (CIE) [Detention centres for foreigners]

According to the information provided by the General Police Directorate, in 2024 —the most recent year for which data were available at the time of closing this report— 1,893 people were admitted to one of the six operational CIE in Tenerife, which remains inactive: 1,807 men and 86 women. Those admitted were mostly nationals of Morocco, Colombia, Peru and Georgia. The CIE in Madrid, with 354 admissions, was the centre with the highest number of people in 2024, followed by Murcia, with 194. The average stay across all immigration detention centres was 37.72 days. A total of 102 injury reports and 176 incidents were referred to the judicial supervisory courts for immigration detention centres. Six suicide attempts were recorded. Information on occupancy in 2025 will become available during 2026. The data can be consulted on the Defensor del Pueblo website (<https://www.defensordelpueblo.es/mnp/datos-estadisticos-privacion-libertad-espana/>).

During the reporting year, the NPM, together with the Migration and Equality Department of the Defensor del Pueblo, visited the facilities of the new CIE in Algeciras (Cádiz) before it entered into operation. Substantial improvements in the facilities were observed in comparison with those of the same type. Their design and equipment facilitate detention under better conditions, in compliance with Royal Decree 162/2014 of 14 March, which approves the regulation on the operation and internal regime of immigration detention centres. Work began in 2021, and in the final quarter of 2025, persons began being detained there. On 7 February 2026, Order INT/63/2026 of 5 February was published in the *Boletín Oficial del Estado* [Official State Gazette], establishing the creation of the new immigration detention centre in Algeciras and the closure of the previous centre in the same town.

2.3.4 Forced return by air

The NPM visited the new premises of the Unidad Central de Expulsiones y Repatriaciones (UCER [Central Unit for Expulsions and Repatriations]) at Adolfo Suárez Madrid-Barajas Airport, which came into operation this year, and supervised, together with the Migration and Equality Department and the Security and Justice Department of the Defensor del Pueblo, the pre-flight stage of a FRONTEX repatriation operation to Colombia (visit [24/2025](#)). It also supervised, at all stages, a FRONTEX repatriation operation to Albania and Georgia (visit [71/2025](#)), as well as a repatriation operation to Morocco (visit [74/2025](#)), organised by the Policía Nacional, which included a stopover in Jerez de la Frontera before arrival in Las Palmas de Gran Canaria, from where the contingent took a flight to El Aaiún (Morocco).

The outcomes of the actions carried out made it possible to note the major progress in the works at the facilities and to continue examining the following aspects.

Video surveillance

Significantly, no video surveillance system has been installed in the new premises of the UCER of the Policía Nacional in areas used for repatriation operations, such as waiting rooms, rooms used for searches, and the room intended for de-escalating any conflicts that may arise. It was stated that this system will be installed, although no specific date has been given.

Bathrooms for women

Another point to highlight regarding the new facilities is that they lack a dedicated women's bathroom. During the visit, it was observed that, of the two bathrooms intended for persons subject to repatriation, one is designated for men and the other for persons with disabilities. Although it was indicated that women may use the bathroom for persons with disabilities, the NPM states that a specific bathroom must be designated for women and properly signposted.

Complaints and suggestions book

Royal Decree 951/2005 of 29 July, establishing the general framework for improving quality in the Administración General del Estado, provides that all public administrations, without exception, must maintain a book for complaints and suggestions (Chapter IV). Similarly, about the services, centres and units of the General Police Directorate, this matter is regulated by Instruction 5/2025 of the Secretary of State for Security on the procedure for processing citizens' complaints, suggestions and commendations. Accordingly, the UCER must have its own complaint forms, which cannot be replaced by the forms of the European Border and Coast Guard Agency, FRONTEX. In addition,

comprehensible information must be provided on the existence of this book, in accordance with Royal Decree 951/2005 and Instruction 5/2025.

Incident register

Although the NPM observed that the premises of the UCER have a “Register of foreign nationals held in room 4”, it was noted that this register records only the place of origin and the restraint measures used, but no other incident or occurrence that may arise in relation to the foreign nationals in custody. There is no other book or form for the written recording of incidents or occurrences during the repatriation operation, either at the premises of that unit or on the repatriation flight itself. A register of this kind is one of the tools provided for in Instruction 10/2025 of the Secretary of State, ensuring both legal certainty and respect for fundamental rights. This is also the approach of the European Committee for the Prevention of Torture (CPT) in its 13th General Report ([CPT/Inf \(2003\) 35](#)).

Chain of custody

After analysing the documentation available in the repatriation operation to Morocco, the NPM noted that the documents and records produced do not comply with the provisions governing the chain of custody in the different legal situations from which the persons subject to repatriation originate: Royal Decree 162/2014, approving the regulation on the operation and internal regime of immigration detention centres; Instruction 8/2009 of the Secretariat of State for Security, amending Instruction 5/2009 on the transfer and custody of inmates from prisons; and, specifically and subsidiarily in other cases, Instruction 10/2025 of the Secretariat of State for Security, updating the comprehensive police custody procedure. Indeed, the documents do not indicate any incidents or occurrences during the transfer, not even an overnight stay. The records focus solely on the belongings of the persons in custody, this being the only matter recorded in writing.

Persons to be repatriated who enter the UCER premises at Adolfo Suárez Madrid-Barajas Airport are recorded in the “Register of foreign nationals held in room 4”; however, as noted above, this register only includes the place of origin and the coercive measures used during the transfer. This book remains at the UCER premises at the airport, meaning that persons to be repatriated who join the operation at other stopovers are not recorded in it. During the flight and the stopovers, there was no record of the chain of custody of the foreign nationals subject to the operation. The final report on the supervised repatriation operation to Morocco records, under the “Incidents” section, only the cancellation of the flights, which delayed completion of the repatriation operation until the following day, and the chronological development of events from that point until the end of the operation.

In short, the NPM considers that effective measures must be adopted to ensure that the chain of custody is recorded in accordance with the above-mentioned rules, so that all incidents and occurrences concerning each person in repatriation operations are duly noted, from the moment custody begins until their handover to the authorities of the destination country, including incidents and relevant matters such as conflict de-escalation and the use of handcuffs.

Healthcare provision

In the repatriation operations supervised during the year under review, it was found, as the NPM has already noted concerning flights supervised in previous years, that persons coming from detention of less than 72 hours who had been transferred from a police station had not been examined by medical staff to determine whether or not they were fit to travel and therefore lacked the document known as “fit to travel.” The NPM considers it essential to establish a form of supervision that makes it possible to record that every person travelling by air is in a suitable condition to take the repatriation flight, to prevent suffering during the flight due to their state of health, or even a risk to the safety of other persons on board.

It is relevant here to recall the provisions of the [NPM's 2014 Annual Report](#) regarding the medical examination of persons to be repatriated by air, which stated on that occasion that it should be carried out:

for all foreign nationals who are to be expelled, and not only those with a known medical condition, to confirm that there is no medical impediment to carrying out the expulsion. If the foreign nationals come from a CIE or penitentiary centre, the medical examination should be conducted at the centres from which they come. In these cases, the result should be accompanied by a summary of the clinical history that includes, at a minimum, the background, the diagnosis, and, where applicable, the prescribed treatment. For those coming from places other than the above, the medical examination must be conducted by the doctor accompanying the operation on the flight.

In addition, there is a need for a medical protocol documenting incidents such as the administration of a psychotropic drug or other medication, while maintaining due medical confidentiality, in accordance with Law 41/2002 of 14 November, the basic law regulating patient autonomy and rights and obligations regarding clinical information and documentation. This should ensure that the relevant information is duly recorded by the doctor responsible for the flight, enabling traceability and allowing this information to be provided to the medical services of the receiving country, where necessary.

Finally, it should be noted that the repatriation operation to Morocco did not include any healthcare staff, which, according to the police officials in charge, is common practice for operations to this destination. Healthcare staff need to be present in every repatriation operation, in accordance with the recommendations of the NPM (paragraph 352 of the

[2014 Annual Report](#)) and of the Cuerpo Nacional de Policía itself ([Rules of Procedure for repatriations and the transfer of detainees by air and/or sea](#)). Accordingly, it is reiterated that the necessary instructions must be issued to ensure that medical staff are present on all repatriation flights.

Immobilising coercive measures

In the repatriation operation to Morocco, the foreign nationals were transferred to the airport with restraint ties as an immobilising measure provided for in the corresponding service order. However, unlike in the operation to Albania and Georgia, these ties were not removed at any time: not during the waiting period, boarding or even during the flight, where one person travelled handcuffed with metal handcuffs. No consideration was given to the fact that, in the event of an emergency evacuation, these ties and handcuffs would prevent effective action, placing both the immobilised persons and the other people on board at risk, thereby breaching Articles 32 and 33 of Act 21/2003 of 7 July on Air Safety. The NPM's position is that coercive measures, such as restraint ties or handcuffs, must be removed in all operations once the respective flights reach cruising altitude, to enable emergency evacuation if necessary and avoid putting anyone on board at risk, in accordance with air safety rules. Only an individualised risk assessment in a specific case would justify maintaining the coercive measure to prevent risks to others or to the safety of the flight.

Body pat-down searches

During several searches on the supervised flights, NPM technical staff were present at random and observed respectful, proper, and professional police treatment of the persons concerned, with due regard for their privacy.

However, it was found that the reception and search of the persons who joined the repatriation operation to Morocco at Jerez de la Frontera Airport (Cádiz) took place on the airport apron, at the foot of the aircraft, despite adverse weather conditions due to heavy rain. This practice could therefore be improved by conducting reception and searches in an appropriate room at the airport, also equipped with video surveillance.

Food

On the repatriation flight to Morocco, during the stopover in Las Palmas de Gran Canaria, the sandwiches and fruit remaining from the aircraft provisions were made available to the foreign nationals in the airport room where they were to wait until boarding; these ran out within a couple of hours. Given that, from the time of landing, the police authorities were already aware of a delay of several hours, as they informed the NPM team, lunch should have been arranged more promptly, since, as observed, food was not provided to those due to be repatriated until 6 p.m.

Interpreter

The NPM found no interpreter took part in the repatriation operation to Morocco. Nor was telephone interpreting available to the police team conducting the operation, and the documentation accessed contained no record that the need for such a service had been assessed.

As the Mechanism has stated since its [2014 Annual Report](#), all repatriation flights involving nationals of non-Spanish-speaking countries should provide access to an interpreting service, at least by telephone.

2.4 POLICE STATION AND COURT HOLDING CELLS

2.4.1 National Preventive Mechanism (NPM) Actions

In 2025, the National Preventive Mechanism (NPM) visited a total of 17 premises: nine belonging to the Policía Nacional, five to the Guardia Civil, two court holding cells and one belonging to the Policía Local de Madrid. It also visited the Guardia Civil post in Haro (La Rioja) as part of the gender and disability programmes.

The following facilities were visited:

Policía Nacional:

- Comisaría de Distrito de Chamberí (visit [7/2025](#)): follow-up.
- Comisaría Provincial de León (visit [11/2025](#)): follow-up visit.
- Comisaría Provincial de Guadalajara (visit [35/2025](#)): follow-up visit.
- Comisaría de Distrito de Chamartín (visit [40/2025](#)): follow-up visit.
- Comisaría de Distrito Actur-Rey Fernando, en Zaragoza (visit [45/2025](#)): follow-up visit.
- Comisaría Provincial de Tarragona (visit [46/2025](#)): follow-up visit.
- Comisaría de Torrent, in Valencia (visit [67/2025](#)): first visit.
- Comisaría de Xirivella, in Valencia (visit [68/2025](#)): first visit.
- Registro Central de Detenidos (Madrid) (visit [75/2025](#)): follow-up visit.

Guardia Civil:

- Comandancia de Valladolid (visit [8/2025](#)): follow-up visit.
- Comandancia de Cuenca (visit [36/2024](#)): follow-up visit.
- Puesto Principal de Valdemoro, Madrid (visit [41/2025](#)): follow-up visit.
- Puesto de Casetas, Zaragoza (visit [44/2025](#)): follow-up visit.
- Puesto Principal de Paiporta, Valencia (visit [69/2025](#)): follow-up visit.

- Puesto Principal de Llíria, Valencia (visit [70/2025](#)): first visit.

Court holding cells:

- Court holding cells, Calle Albarracín, in Madrid (visit [42/2025](#)): follow-up visit.
- Court holding cells, Catarroja, in Valencia (visit [66/2025](#)): first visit.

Local police:

- Policía Local, Madrid (visit [75/2025](#)): follow-up visit.

2.4.2 Publication of Instruction 10/2025 of the Secretaría de Estado de Seguridad [Secretariat of State for Security], updating the “Comprehensive Police Detention Procedure”

With the publication of Instruction 1/2024 of the Secretariat of State for Security, which approves the comprehensive police detention procedure, the process of reviewing the regulatory framework and consolidating the relevant instructions was considered complete. However, its explanatory section noted that it was “a useful and flexible tool, envisaged as being subject to periodic review.” This review was conducted through the publication of Instruction 10/2025, which updates the comprehensive police detention procedure and has since become the central component of the regulatory framework governing detention procedures.

In general terms, most of the provisions contained in the previous Instruction 1/2024 have been retained in Instruction 10/2025, meaning that the Recommendations and Suggestions issued by the NPM, which had already been incorporated into the earlier text, remain in force. Accordingly, as was already the case in the introduction to Instruction 1/2024, it is expressly acknowledged that the resolutions of the Defensor del Pueblo are among the factors underpinning the need to update the instructions addressed to the State security forces, inter alia, to “strengthen the protection of the rights of detained persons.”

The revision of the content of the previous instruction focuses, on the one hand, on the introduction of inclusive language, particularly regarding police personnel, which is the new designation adopted. On the other hand, the references concerning the treatment of trans persons in the context of physical searches have been amended, removing the reference to “sexual orientation” contained in Instruction 1/2024, while retaining the reference to “gender identity.”

It should also be noted, as a new development, that the section relating to the information provided to detained persons expressly includes bras as items liable to be removed. At the same time, the section relating to searches continues to classify “underwear” as an item whose removal “may diminish the physical capacity of the detained person or affect their moral integrity or dignity” and which, therefore, “must be

exceptional and justified on security grounds, with the corresponding entry made in the incidents section of the relevant detainee register.” However, during the visits carried out by this institution, it was found that women’s underwear is routinely removed, rather than exceptionally. This led the NPM to issue Suggestions throughout 2025 during visits to Comisaría de la Policía Nacional de Torrent (Valencia) and Comisaría Provincial de Tarragona, among others. In light of the above, it is considered that the inclusion of the term “bra”, although introduced for purely informational purposes and therefore not in itself objectionable, may contribute to maintaining a practice which the NPM has repeatedly called to be modified. This issue is addressed in greater detail in the section of this report concerning the gender programme.

2.4.3 Visits to places of deprivation of liberty in the Autonomous Community of Valencia in areas affected by the DANA (low-pressure system)

In October 2025, the NPM conducted visits to various detention facilities in Valencia, in areas most affected by the flooding caused by the October 2024 DANA. The purpose of the visit, in addition to undertaking follow-up work at previously visited facilities, was to assess the overall condition of the affected detention centres and the progress of the refurbishment and repair works carried out.

The visits included the court holding cells in Catarroja, two Guardia Civil facilities (Paiporta and Lliria) and two Policía Nacional stations (Xirivella and Torrent). In some cases, such as the courts in Catarroja, the visit made it possible to assess the condition of facilities that had recently reopened following refurbishment works. In others, such as the Puesto Principal de la Guardia Civil de Paiporta and the Policía Nacional station in Xirivella, it was observed that the refurbishment and upgrading of facilities are progressing slowly, with a consequent impact on the detention process. Persons deprived of liberty, who are temporarily accommodated in other facilities before being brought before a judicial authority, are required to undergo transfers that extend the minimum duration of detention. This, in turn, places a significant burden on the material and human resources of the security forces responsible for their custody.

It should also be noted that the procedures carried out in the most affected detention facilities —facilities which generally do not meet the minimum standards for accommodating detained persons— take place in conditions that hinder compliance with the NPM’s Recommendations and Suggestions, particularly those relating to the privacy of detained persons. For this reason, a Suggestion was issued to ensure the protection of privacy during waiting periods at the premises, temporarily replacing the Puesto Principal de la Guardia Civil de Paiporta.

Furthermore, the refurbishment of facilities does not always comply with the requirements set out in Instruction 11/2015 of the Secretariat of State for Security, which

approves the technical standards for the design and construction of detention areas. Accordingly, Suggestions were issued to ensure that the works include rooms for identification procedures and legal assistance (Paiporta, Torrent, Lliria and Xirivella), call bells inside cells (Xirivella), and full video surveillance coverage along the entire route followed by detained persons (Paiporta, Lliria, Torrent and Xirivella). In the cases of the Puesto Principal de la Guardia Civil de Lliria and the Policia Nacional station in Torrent, it was also found that the cells did not meet the minimum size standards established by the European Committee for the Prevention of Torture (CPT), leading the NPM to issue two Suggestions for the facilities to be adapted to the recommended minimum standards.

2.4.4 Oversight areas. Challenges and progress

Police facilities and vehicles used for the transport of detainees

In addition to the matters described above concerning detention facilities affected by the DANA in the Autonomous Community of Valencia, the NPM continued to assess the physical conditions of other police stations, Guardia Civil posts and command headquarters, courts and municipal detention facilities.

As noted in the [NPM Annual Report 2024](#), the aforementioned Instruction 11/2015 of the Secretariat of State for Security, approving the technical standards for the design and construction of detention areas, remains in force. Accordingly, the Recommendation issued by the NPM to that authority remains valid, particularly concerning access to natural light during the day, artificial lighting of sufficient intensity to allow reading in the absence of natural light, adequate ventilation and climate control, and the availability of an outdoor yard for detentions exceeding 24 hours.

The Secretariat of State for Security stated that the instruction already incorporates most of the criteria put forward by the NPM, and referred to the complexity of adapting more than six hundred custody areas to its requirements, particularly in relation to refurbishment, renovation, expansion or adaptation of existing infrastructure, which is subject to budgetary constraints and the physical configuration of police facilities. The mechanism considers that a greater level of commitment from the Administration is possible and therefore reiterated its Recommendation.

Requests made by the NPM in previous years for the closure of facilities were not accepted, in some cases due to a lack of budgetary resources (Palacio de Justicia de Ayamonte, Huelva) ([visit 15/2024](#)) and, in others, due to the lack of available land for the construction of new facilities (Comisaría Provincial de Almería) ([visit 43/2022](#)). In the case of the Policia Local station in Santiago de Compostela ([visit 53/2021](#)), a response from the local authority is still pending, although it has indicated its intention to relocate the municipal detention facility. In other cases, such as the visit to the Jefatura Superior

de Policía de Canarias in Las Palmas de Gran Canaria, several Suggestions were reiterated due to prolonged delays in carrying out the planned works (visit [66/2021](#)).

In 2025, the NPM visited the Guardia Civil barracks in Casetas (Zaragoza), whose holding cells had been provisionally closed on 11 September following the opening of the Valdespartera barracks in Zaragoza. As no maintenance was planned and, despite their closure, the facilities could still be used for “justified reasons”, a Suggestion was issued to consider their permanent closure.

The NPM also issued a Suggestion concerning the need to refurbish and renovate the facilities of Comisaría Provincial de Policía Nacional de Tarragona. Similarly, in facilities such as the Policía Nacional stations in Torrent (Valencia) and Actur-Rey Fernando (Zaragoza), Suggestions were issued to ensure proper cleaning, as visits revealed that the facilities were dirty and poorly maintained. At the Registro Central de Detenidos in Madrid, a Suggestion was issued that food waste be removed from cells after routine checks, rather than waiting for general cleaning. This issue was also identified at the Policía Nacional station in Torrent.

The NPM observed that natural light was available within the ACUDE areas of the main Guardia Civil posts in Paiporta and Lliria, although it did not reach the cells themselves. In other facilities, such as the Policía Nacional station in Torrent, lighting was found to be insufficient, with some cell lights inoperable, prompting the issuance of a Suggestion.

The availability of adequate ventilation and climate control systems remains a subject of resolution by the mechanism. This is the case, for example, of the holding cells at the Registro Central de Detenidos in Madrid, where the absence of an adequate climate control system is compounded in winter by insufficient blankets.

The lack of sufficient, clean mattresses and blankets was also the subject of various resolutions in different detention facilities. For instance, during a visit to the holding cells at the Policía Municipal station in Madrid, it was found that only two blankets and two mattresses were available across 19 cells.

As in previous years, the NPM assessed whether vehicles used to transport persons deprived of liberty ensure proper treatment and safety. In this regard, it maintains that vehicles lacking restraint systems and equipped with side-facing bench seating —some of which include fittings for handcuffs— should be withdrawn from use to avoid compromising the physical integrity and proper treatment of detainees. In connection with this issue, the 2024 Recommendation made to the Secretariat of State for Security, following the visit to the Registro Central de Detenidos, was reiterated and remains pending a response.

Human and material resources

As noted in the 2024 [NPM Annual Report](#), the management of custody duties, the transport of detainees in police vehicles and the recording of incidents in the chain of custody require adequate staffing levels, which also directly affect the treatment of persons deprived of liberty.

Following the visit to the Registro Central de Detenidos in Madrid, the NPM requested information on staffing levels to ensure there are sufficient officers on each shift. It should be noted that this detention and transfer facility has seen annual admissions increase from 25,026 in 2020 to 44,865 in 2024, without a corresponding increase in staffing or sufficient investment and maintenance of facilities, as noted earlier.

It is also essential that Policía Nacional and Guardia Civil personnel are provided with the necessary equipment —such as anti-theft holsters and body armour— to ensure the safe performance of their duties. In this regard, the Recommendation issued by the NPM to the Secretariat of State for Security following the visit to the Comisaría de Distrito de Retiro in Madrid (visit [59/2022](#)) was formally closed after the authority reported that recent procurement had brought the officer/body armour ratio to 95%. However, the NPM considers that its Recommendation has not been accepted, as it had requested that body armour be personal and non-transferable and, in the case of female officers, adapted to their anatomy —issues not addressed in the Administration's response.

Dignity of persons deprived of liberty

The practice of full strip searches remains in place, even though Instruction 10/2025 provides —as did Instruction 1/2024— that such searches must be limited to cases where no other technique, means or instrument is possible and where the least possible interference with fundamental rights is ensured, in line with the *Concluding Observations on the seventh periodic report of Spain* by the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ([CAT/C/ESP/CO/7](#)).

During its 2025 visits to detention facilities, the NPM found that full strip searches were conducted without proper recording in the case files. It also found that almost no detention facilities provide gowns, towels, or other items to allow individuals to cover themselves during searches, prompting the issuance of relevant resolutions.

Although Instruction 10/2025 provides that detainees should be allowed access to toilet facilities —including showers— when required, such access is not always guaranteed continuously. This was observed at the Registro Central de Detenidos in Madrid. The lack of cleaning and personal hygiene items (soap, towels, gowns, spare clothing, feminine hygiene products, etc.) was also the subject of Suggestions and Recommendations in almost all detention facilities visited during 2025.

The NPM also notes with satisfaction that, in at least one visit to a detention facility (the visit to the Comandancia de la Guardia Civil de Valladolid), the Suggestion to install a visible clock for detained persons was accepted, as, in the view of this institution, temporal orientation is also an important element in ensuring wellbeing and the effective exercise of the rights afforded to detained persons. This command headquarters also provides disposable towels and soaped sponges.

The mechanism reviewed overcrowding in detention facilities from the perspective of the principle of single-cell occupancy and the promotion of one detainee per cell, particularly in large facilities such as the Registro Central de Detenidos in Madrid. It found that, despite the availability of empty cells, detainees were concentrated in others, leading to the issuance of a Suggestion.

Safeguard systems

Instruction 10/2025 of the Secretariat of State for Security maintains the requirement for the General Police Directorate and the Guardia Civil to adopt internal regulations ensuring the immediate detection, monitoring and oversight of cases that may involve an excess in the exercise of police powers or a violation of the rights of persons under police custody, as well as of any criminal charges or judicial proceedings brought against members of the State security forces in connection with their actions.

It also provides that those central authorities must ensure that all complaints lodged against police officers, concerning acts or conduct that may indicate improper actions, are recorded in the IT system established under Instruction 1/2022 of the Secretariat of State for Security, which created the National Office for the Guarantee of Human Rights.

In addition, it should be noted that, in 2025, Instruction 2/2025 of the Secretariat of State for Security was also adopted, governing the organisation and functioning of the inspection of personnel and security services. This instruction reiterates the obligation on the directorates-general to report, within 24 hours, deaths, injuries and suicide attempts involving detained persons, the discharge of firearms or use of electronic control devices, and the detention and status as a suspect of members of the State security forces, among other matters.

As noted in a later section, the existence of these obligations is not always matched by staff awareness, which led the NPM to issue resolutions calling for training in these areas.

From a preventive perspective, police personnel must be properly identifiable, and the badge identification numbers must be designed and sized appropriately for this purpose. In this regard, the mechanism is currently following up on several requests for information and resolutions concerning the proper identification of police personnel

(General Police Directorate, Murcia City Council) and is gathering data on the number of annual infringements and the sanctions imposed by the competent authorities. In the case of the Ayuntamiento de Murcia, in addition to the Recommendation concerning police identification, information was requested on how to improve the visibility of current identification following the visit to the Comisaría Distrito Sur-El Carmen (visit [23/2024](#)).

About the preventive function of disciplinary mechanisms, in the context of the visit to the Jefatura Superior de Policía de Canarias (visit [66/2021](#)), the NPM initiated an information-gathering procedure with the Secretariat of State for Security to examine the application, in disciplinary proceedings, of the offences set out in Fundamental Act 4/2010 of 20 May on the Disciplinary Regime of the Cuerpo Nacional de Policía that are linked to ill-treatment or torture. This was done in line with the premise, set out by the Committee against Torture in its *Concluding observations on Spain's seventh periodic report*, that authorities must “ensure that an investigation is initiated ex officio whenever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed.”

Furthermore, even though this requirement was already included in Instruction 1/2024 and is maintained in Instruction 10/2025, the NPM continued to observe shortcomings in the recording of incidents in detainee custody records, such as the time at which legal counsel is formally appointed, the time at which they actually attend the holding cells, and all contacts between detainees and third parties such as family members, interpreters and medical professionals, among others. As a result of its 2025 visits, the mechanism systematically reiterated the importance of complying with this legal obligation and ensuring the thorough completion of detainee custody registers. In this regard, it is essential that a responsible person be designated to carry out periodic checks on the proper completion of these records and that the results be documented, in line with the suggestion made to the General Police Directorate following the visit to the Registro Central de Detenidos in Madrid. In the case of the visit to the holding cells of the Policía Municipal de Madrid, the NPM issued a Recommendation calling for the digitalisation of custody-related documentation, as the registers are still handwritten.

It was also found, during various visits (for example, to the court holding cells at Calle Albarracín in Madrid and the Main Guardia Civil Station in Paiporta, Valencia), that when a detainee is transferred from one facility to another, or from one police force to another, entries made in the chain of custody are not consistently reflected in the new record, which led to the issuance of a Recommendation and a Suggestion, respectively.

It was also observed during the visit to the Valdemoro Guardia Civil Station (Madrid) that when capacity is exceeded at that detention facility, detainees are transferred to the Centro Penitenciario de Valdemoro. Although this possibility is provided for in the applicable regulations, an information-gathering procedure was initiated to examine the

conditions under which this practice occurs, the criteria used to select the individuals concerned, and whether it may give rise to any infringement of their rights.

The NPM also continued to verify the proper completion of information forms provided to detainees, including information on whether they are subject to video surveillance and how they may communicate with custody staff, among other matters. The absence of intercom systems in cells, particularly in larger detention facilities, prompted the issuance of Suggestions at several centres, including the Registro Central de Detenidos in Madrid.

Detention of minors

Instruction 10/2025 of the Secretariat of State for Security retains the section setting out the particularities of the detention of certain persons —or in certain circumstances— including minors, as already highlighted in the previous report.

The position of the NPM is that the placement of minors in custody and detention areas should be avoided. In cases where this is strictly necessary, it is verified that they are held in areas separate from those used for adult detainees. During the NPM's 2025 visits, no instances were identified where these safeguards were not respected.

Transfers of persons deprived of liberty

During 2025, the NPM exercised particular care in supervising the transfers of detained persons. The purpose of this analysis, in addition to examining the material conditions under which such transfers are carried out —an issue addressed elsewhere in this section— was to assess whether the internal organisation of the various administrations involved in the custody of detained persons may, potentially, lead to an unnecessary extension of the period of deprivation of liberty, which must be limited to the minimum time strictly necessary to clarify the facts.

It was observed, during visits to the Policía Nacional stations in Actur-Rey Fernando (Zaragoza) and the Registro Central de Detenidos in Madrid, that in large urban areas protocols promote the overnight holding of detained persons in a single detention facility, for them to be brought collectively before a judicial authority on the day following the completion of the relevant procedural steps. The Defensor del Pueblo has not considered the existence of such protocols to be inappropriate and, in some cases, has even promoted them, provided that they do not result in an unnecessary extension of the period of deprivation of liberty, in line with the interpretation of Article 17.2 of the Spanish Constitution.¹³

¹³ Judgment of the Constitutional Court No. 88/2011 of 6 June, and Judgment of the Supreme Court No. 838/2021 of 11 June.

During the visit to the Registro Central de Detenidos, which performs the aforementioned function, the NPM reviewed the protocols in force in this judicial district and observed the transfer of detained persons to different courts. As a result of this visit, and in line with its previous position, the Defensor del Pueblo issued a Reminder of legal duties to the General Police Directorate, calling for detention not to be unduly prolonged and for the applicable time limits to be respected.

Healthcare and injury reports

Although, in 2024, the NPM considered that progress had been made in relation to healthcare provided in police settings —particularly following the publication of Instruction 1/2024 of the Secretariat of State for Security, which requires that such care and the corresponding medical examinations be carried out with due respect for the privacy of the detained person and that a written record be kept detailing all relevant circumstances— visits carried out in 2025 revealed that certain practices do not fully comply with these requirements.

During the visit to the Puesto Principal de la Guardia Civil de Valdemoro (Madrid), a Suggestion was issued to ensure that, where a detained person is injured or has pre-existing injuries, medical attention is provided before transfer and processing at the relevant detention facility.

Insufficient detail in the recording of custody chains was also the subject of resolutions issued by the NPM, and particular emphasis has been placed on the need for accurate recording of medical care and medication administration to ensure proper protection of the health of persons deprived of liberty.

Furthermore, during the visit to the Comisaría de Distrito Murcia-Sur-El Carmen, a forensic medical expert from the visiting team examined a detained person who presented visible injuries; however, despite having received medical attention at the police station, no injury report had been prepared.¹⁴ In this context, a Recommendation was issued to the Regional Ministry of Health of the Autonomous Community of Murcia to ensure the proper preparation of injury reports, their delivery to the person concerned and their submission to the duty court.

Video surveillance, audio surveillance and recordings

Adequate video surveillance and recording coverage in police facilities is, in the view of the NPM, one of the key standards for preventing ill-treatment. Accordingly, Recommendations and Suggestions were issued following various visits, emphasising

¹⁴ See the Defensor del Pueblo monographic report, [Los partes de lesiones de las personas privadas de libertad \[Injury reports on people deprived of their liberty\]](#) (2014).

the need for full video surveillance coverage, without blind spots, in all areas where detained persons are present, except for toilet facilities. This is the case, among others, of the Comisaría Provincial de Policía Nacional de Tarragona, the Puesto Principal de la Guardia Civil de Llíria, and the Comisaría de Policía Nacional de Torrent. In the case of the Puesto Principal de la Guardia Civil de Valdemoro, it was also requested that cameras be equipped with audio recording capability.

During the visit to the Comisaría de Distrito Murcia Norte-San Andrés (visit [24/2024](#)), the NPM initiated information-gathering with the Secretariat of State for Security regarding the availability of body-worn cameras—within the scope of operations carried out by the State security forces—for audio and video recording. Reference was also made to the potential extraction of such recordings, where necessary, for inclusion in police proceedings, on the basis that these devices—beyond their use in conjunction with electronic control devices—may constitute a key tool in establishing the facts in cases of alleged ill-treatment.

To date, references to the use of body-worn cameras by the State security forces under the Secretariat of State for Security remain limited to the context of electronic devices. The NPM maintains its previously stated position and encourages all administrations to expand the scope of situations in which body-worn video and audio recording devices are used, following the example of the Policía Foral de Navarra.

Self-harm and suicidal behaviour prevention protocols

Instruction 10/2025 also retains the section relating to care, protection and safety measures aimed at preventing potential self-harming behaviour by detained persons while in police custody, as well as the proper recording of such measures in custody records.

During visits to the main Guardia Civil posts in Llíria and Paiporta, the NPM issued two Suggestions calling for the assessment of self-harm risks among detained persons, particularly where their behaviour or the nature of the alleged offence may indicate such a risk, and for appropriate measures to be taken where necessary.

The NPM also paid particular attention to verifying the conduct of monitoring rounds by police personnel and the recording of these rounds in custody registers. As a result of the visit to the Registro Central de Detenidos in Madrid, the NPM issued a Suggestion that, pending the installation of call bells in the cells, checks should be carried out every 30 minutes and properly recorded in the detainee custody and register log.

During the visit to Comisaría Provincial de la Policía Nacional de Guadalajara, the NPM found that there were medical reports of self-harm and suicide attempts that had

not been recorded in the corresponding custody and detention registers, and therefore issued a Reminder of Legal Duties.

Training

The NPM maintains the position, as reflected in the applicable regulations, that personnel of the State security forces involved in detention and custody duties must be trained in restraint and immobilisation techniques, personal searches, first aid, and the use of fire-extinguishing equipment.

The NPM maintains the position, as reflected in the applicable regulations, that personnel of the State security forces involved in detention and custody duties must be trained in restraint and immobilisation techniques, personal searches, first aid, and the use of fire-extinguishing equipment. During the visit to the Policía Nacional station in Torrent, where at least one incident involving the use of a firearm was recorded, a Suggestion was issued that personnel be provided with specific training in de-escalation techniques and in the management of the mental health of detained persons.

Furthermore, following visits to facilities affected by the DANA in Valencia —and in particular the visit to the Puesto Principal de la Guardia Civil de Paiporta, where two individuals died due to the disaster— the NPM requested information on the psychological support measures provided to staff at that detention facility.

In addition, following the visit to the Puesto Principal de la Guardia Civil de Lliria, a Suggestion was issued that staff receive training on the content of Instructions 1/2022 (establishing the National Office for the Guarantee of Human Rights and 2/2025) on the organisation and functioning of the inspection of personnel and security services. Similarly, following visits to the Puesto Principal de la Guardia Civil de Valdemoro and the Policía Nacional station in Torrent, the mechanism requested information on the specific training provided to staff authorised to use electronic control devices.

Training in human rights should not be limited to police personnel alone, as other professionals are also involved in the detention process. Accordingly, following the visit to the Comandancia de la Guardia Civil de Cuenca (visit [36/2024](#)), the NPM issued a Recommendation to the Regional Ministry of Health of Castilla-La Mancha that medical staff receive ongoing training in providing healthcare to persons deprived of liberty.

3 CROSS-CUTTING PROGRAMMES

3.1 PROGRAMME FOR THE PREVENTION OF GENDER DISCRIMINATION IN DEPRIVATION OF LIBERTY FACILITIES

Since 2018, the National Preventive Mechanism (NPM) has carried out visits analysing potential causes of exclusion or restrictions based on gender affecting girls, women and LGBTI persons, which may result in the impairment or denial of their rights in places of deprivation of liberty.¹⁵

¹⁵ The gender programme began in 2018 in the context of penitentiary centre facilities, was extended in 2021 to psychiatric hospitals and juvenile offender centres, and in 2022 to police stations.

Based on the visits carried out, the impact of this programme is already evident:

- **Penitentiary centres under the authority of the Secretariat General of Penitentiary Institutions:** 2018: CP (penitentiary centre) Antoni Asunción Hernández de Valencia (visit [101/2018](#)); 2019: CP (penitentiary centre) Madrid I (visit [91/2019](#)), Centro Abierto de Las Palmas I (visit [102/2019](#)) and CP. Las Palmas II (visit [104/2019](#)); 2020: CP Ceuta (visit [88/2020](#)) and CP. Alcalá de Guadaíra, in Seville (visit [102/2020](#)); 2021: CP Menorca (visit [11/2021](#)), CP. Topas, in Salamanca (visit [17/2021](#)) and Hospital Psiquiátrico Penitenciario de Alicante (visit [78/2021](#)); 2022: CP Ceuta (visit [29/2022](#)) and Residencia de Madres Irene Villa in Alicante (visit [7/2022](#)).
- **Penitentiary centre under the authority of the Autonomous Community of Cataluña:** CP (penitentiary centre) Puig de les Basses (Figueres, Girona) (visit [61/2025](#)).
- **Juvenile offender centres** (under the authority of the autonomous communities). Centres have been visited in the following nine autonomous communities: Galicia: Centro de Menores Concepción Arenal (Visit [50/2021](#)); Andalusia: CIMI Bahía de Cádiz (visit [38/2021](#)) and CIMI Sierra Morena, Córdoba (visit [14/2023](#)); Murcia: Centro Educativo La Zarza (visit [4/2022](#)); Valencia: Centro de Reeducción de Menores Mariano Ribera (visit [4/2023](#)); Extremadura: Centro de Cumplimiento de Medidas Judiciales Vicente Marcelo Nessi, Badajoz (visit [36/2023](#)); Cantabria: Centro Socioeducativo Juvenil Gobierno de Cantabria (visit [6/2024](#)) and Centro de Acogida Especializado de Menores Valle de Cayón (visit [12/2024](#)); Basque Country: Centro Educativo Urgozo (visit [9/2024](#)); Navarra: Centro Educativo Aranguren (visit [27/2024](#)); Castilla-La Mancha: Centro Educativo Juvenil La Cañada, Ciudad Real (visit [23/2025](#)); La Rioja: Centro Educativo Virgen de Valvanera (visit [34/2025](#)).

Eight autonomous communities and the autonomous cities of Ceuta and Melilla remain to be visited.

- **Police stations under the authority of the Secretariat of State for Security:** Comisaría Provincial de Burgos de la Policía Nacional (visit [54/2022](#)); Jefatura Superior de Policía Nacional de La Rioja (visit [51/2022](#)); Comisaría Provincial de Málaga (visit [7/2023](#)); Comandancia de la Guardia Civil de Valladolid (visit [10/2025](#)); Comisaría Provincial de León (visit [13/2025](#)); Comisaría Provincial de Guadalajara (visit [37/2025](#)).
- **Police station under the authority of the Foral Police of Navarra:** Police Headquarters of the Policía Foral de Navarra in Pamplona (visit [30/2024](#)).
- **Psychiatric hospitals:** Hospital Psiquiátrico Penitenciario, Alicante (visit [78/2021](#)) and Hospital de Conxo, Santiago de Compostela (visit [52/2021](#)).

In 2025, the NPM visited places of deprivation of liberty under the authority of the Secretariat of State for Security (Comandancia de la Guardia Civil de Valladolid, visit [10/2025](#); Comisaría Provincial de León, visit [13/2025](#); Comisaría Provincial de Guadalajara, visit [37/2025](#)); a juvenile offenders' centre in the Autonomous Community of Castilla-La Mancha (Centro Educativo Juvenil La Cañada, Salamanca, visit [23/2025](#)) and another in the Autonomous Community of La Rioja (Centro Educativo Virgen de Valvanera, visit [34/2025](#)); and, finally, Centro Penitenciario Puig de les Basses, in Figueres, Girona (visit [61/2025](#)), the first visit to a penitentiary centre under the Catalan prison authority in the framework of the project.

3.1.1 Prevention of discrimination

Of the visits carried out in 2025, the rendering of girls, women and LGBTI persons invisible, together with the differentiation in the spaces occupied by women and minors, stand out as systemic and structural causes of gender-based discrimination.

Rendering girls, women and LGBTI persons invisible: absence of sex-disaggregated data and other variables

The United Nations Human Rights Council considers that women, minors and lesbian, gay, bisexual and transgender persons are particularly exposed to torture and ill-treatment in situations of deprivation of liberty, making it necessary to adopt measures to protect and promote their rights and to address their specific needs.¹⁶

During its visits, the NPM found that the lack of collection and statistical processing of data disaggregated by sex and other variables prevents the examination of the conditions of deprivation of liberty of girls, women and LGBTI persons, to assess the extent to which the treatment they receive responds to their specific needs. About variables, under current national and international regulations,¹⁷ further progress towards effective gender equality requires an intersectional approach that takes into account other forms of discrimination, particularly those relating to disability and Roma ethnicity.

Sex-disaggregated data and LGBTI persons

In 2023, the seventh periodic report of Spain to the Committee against Torture states that the “State party should ensure that the specific needs of women deprived of liberty are addressed.”¹⁸ Likewise, in line with Act 15/2022 of 12 July on equal treatment and non-discrimination, and with the guidelines of European Union bodies, the Third Strategic

¹⁶ [A/HRC/31/57](#)

¹⁷ Opinion of the European Economic and Social Committee, Contribution of the European Economic and Social Committee (EESC) to the priorities of the European Union at the sixty-ninth session of the United Nations Commission on the Status of Women (CSW 69), SOC/821, section 4.7.1.

¹⁸ [CAT/C/ESP/CO/7](#), section 22.

Plan for Equality between Women and Men (2022–2025),¹⁹ which serves as a reference for public authorities, highlights the need to produce statistics disaggregated by sex.

The Subcommittee on Prevention of Torture has urged national preventive mechanisms, together with State institutions, to “collect and publish data on the number and type of incidents of torture and ill-treatment against lesbian, gay, bisexual, transgender and intersex persons, as well as on the outcome of the corresponding investigations, and to develop appropriate models for the collection, processing and analysis of such data.”²⁰ Act 4/2023 of 28 February on the real and effective equality of trans persons and on the guarantee of the rights of LGBTI persons, while acknowledging in its preamble that legislative progress has been made—including, among other areas, in the State security forces and bodies and in the prison system—sets out to guarantee and promote the right of these persons to real and effective equality.

- **Girls, women and LGBTI persons in police stations.** During visits carried out under the programme, the NPM found that in police stations under the authority of the Secretariat of State for Security (SES), sex or gender identity is not recorded in the custody register, as required by Appendix I of Instruction 10/2025, which updates the Comprehensive Police Detention Procedure. This affects the application of measures relating to cell allocation and searches.

Furthermore, the Secretariat of State for Security indicated that neither the custody register for detainees nor the custody register for detained minors includes the variable of sex in the electronic collection of data or in the production of statistics on incidents and occurrences (searches, use of handcuffs, strip searches, medical assistance, episodes of self-harm, etc.). The absence of sex-disaggregated data prevents the generation of statistics necessary to examine the conditions under which girls, women and LGBTI persons are held in custody, and to assess whether the treatment they receive meets their specific needs. Accordingly, the NPM recommended that the Secretariat of State for Security incorporate the variable of sex and a gender perspective into the electronic statistical systems used to record data in both custody registers (visits [10/2025](#), [13/2025](#) and [51/2022](#)).

For its part, the Autonomous Community of Navarra accepted the Recommendations to incorporate a variable relating to transgender persons into electronic data collection and statistical reporting, and to introduce inclusive language into the “Acta de declaración” (statement record) and “Acta de puesta en libertad” (release record) forms used by the Policía Foral, informing that it will

¹⁹ <https://www.planestrategicodeigualdad.es/el-plan/>

²⁰ Ninth annual report of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 22 March 2016, [CAT/C/57/4](#), paragraph 75, p. 17.

amend its current regulations in accordance with the Recommendations (visit [30/2024](#)).

- **LGBTI girls and adolescents in juvenile offender centres.** During visits in 2025 to juvenile offender centres under the authority of the Autonomous Communities of Castilla-La Mancha and La Rioja, the NPM found a lack of sex-disaggregated data in both annual reports and various registers. Such data are necessary to establish the profile of young female offenders to provide an educational and therapeutic response tailored to their needs during the rehabilitation process. The NPM issued a Recommendation in this regard. In the case of the centre in Castilla-La Mancha, no data relating to gender identity were recorded, resulting in rendering invisible. It was therefore recommended that data relating to LGBTI minors be disaggregated by sex.²¹
- **LGBTI persons in prison.** The Secretariat General of Penitentiary Institutions has not yet aligned prison regulations with Act 4/2023, of 28 February, to ensure the real and effective equality of trans persons and to guarantee the rights of LGBTI persons, despite the time elapsed. In 2025, the NPM issued a Recommendation to align prison regulations with that law. The Secretary General responded that existing internal regulations have been reviewed and that their publication is planned (visit [17/2021](#)).

Disability variable

During visits carried out in 2025, the NPM found that the Action Plan for the Promotion and Protection of the Rights of Women and Girls with Disabilities (2025–2035) is not being taken into account. That plan recognises that direct and indirect discrimination faced by women with disabilities is intensified in detention settings and sets out measures in this regard,²² as follows:

²¹ Ley 4/2023, para la igualdad real y efectiva de las personas trans y para la garantía y los derechos de las personas LGTBI [Act 4/2023 of 28 February on the real and effective equality of trans persons and on the guarantee of the rights of LGBTI persons] establishes the obligation of the public authorities to adopt the necessary measures to ensure that LGBTI minors can freely develop their personality and enjoy physical integrity, in accordance with their sexual orientation and identity, gender expression or sex characteristics, with the best interests of the child being treated as a primary consideration in all actions and decisions affecting them (Article 70). It also promotes their visibility and the conduct of studies and surveys on the situation of LGBTI persons (Articles 5 and 6).

²² “Direct and indirect discrimination faced by women with disabilities is intensified in detention settings, where the environment is particularly inaccessible to them, as they lack specific support tailored to their needs. This severely restricts their access to activities that could facilitate their integration, placing them in a situation of inequality and heightened vulnerability. Early identification of cases of disability and of the needs arising from them in these centres is the first step towards preventing the lack of information and defencelessness experienced by women with disabilities. To promote communication and accessibility, it is therefore necessary

- **Girls in juvenile offender institutions.** During the visit to the centre in the Autonomous Community of La Rioja, the NPM found that, in relation to minors whose disability had not yet been identified, the intersection between gender and disability was not taken into account. Firstly, disability constitutes a risk factor for having suffered, or being at risk of suffering, sexual violence or gender-based violence. However, minors who may have a disability are not afforded the specific protection provided for in legislation—particularly in relation to sexual violence—nor is adapted relationship and sex education provided, aimed at preventing and avoiding all forms of violence and discrimination and enabling them to recognise and respond to such situations. Secondly, current legislation establishes the need for staff in these centres to receive training on gender and sexual violence, with particular attention to disability. When information was requested on staff training in disability between 2023 and 2025, the NPM found that no such training had been provided. A lack of training was also identified among staff, including the psychology team, in matters relating to gender-based violence and sexual violence. Accordingly, the NPM recommended that the treatment provided to minors in the centre take into account both gender and disability variables.
- **Women in prison.** Centro Penitenciario Puig de les Basses (Girona) has a Compensatory Intervention Unit to which persons with intellectual disabilities or other forms of vulnerability may be assigned. A multidisciplinary team provides temporary intervention to support their adaptation to a standard unit. At the time of the visit, different sub-registers relating to possible disabilities among female inmates were in use, which were not consistent with one another. This unit has places only for men. The NPM therefore suggested that the Catalan prison authority allow women to be assigned to the unit or receive outpatient support from the unit's team.

Roma ethnicity variable

- **Girls in juvenile offender institutions.** During the visit to the juvenile offender institution in Castilla-La Mancha, the NPM found that, although almost half of the girls had at least one parent of Roma ethnicity, this variable was not included in data collection or statistical reporting. This prevents the development of effective programmes tailored to their needs that incorporate a gender perspective. The NPM therefore recommended that appropriate measures be adopted to ensure

to adapt resources to the specific needs of each woman with a disability entering these centres. A personalised, gender-sensitive approach must be adopted which, in addition to taking into account individual support needs, incorporates the person's social context. Ensuring the rights of women with disabilities and their access to, and adaptation of, existing resources in detention settings, with a view to meeting their specific needs, is key to preventing situations of gender-based violence against them, given their particular vulnerability.”

the effectiveness of interventions carried out with Roma minors, taking into account the intersection between their cultural context and a gender perspective.

- **Women in prison.** During the visit to Centro Penitenciario Puig de les Basses, the NPM found that 12% of female inmates were of Roma ethnicity. Roma ethnicity is not a variable routinely recorded at the centre, nor is it treated as an intersectional variable that may require specific adaptations to prevent it from becoming a source of discrimination, even though it is included in various current policy instruments, such as the Plan against Gender-based Violence and the Action Plan for the Promotion and Protection of the Rights of Women and Girls with Disabilities (2025–2035). The National Strategy for Equality, Inclusion and Participation of the Roma People 2021–2030 highlights the need to collect intersectional data that combines Roma ethnicity and gender to continue advancing towards effective gender equality.

Accordingly, the NPM recommended that the Catalan prison authority incorporate a variable on Roma women into data collection and statistical reporting, adopt measures to ensure the effectiveness of interventions, taking into account the intersection of cultural context and gender, and establish monitoring and evaluation mechanisms. The same Recommendation was accepted by the Secretariat General of Penitentiary Institutions, which cited budgetary limitations in developing the necessary IT systems for data collection and analysis related to female prisoners, thereby enabling the effective exercise of their right to equality and other fundamental rights (visit [17/2021](#)).²³

Spaces

- **Detained women.** During visits to police stations carried out under the gender programme and the authority of the Secretariat of State for Security, the NPM found that shower facilities lack adequate material conditions and privacy, and that a low proportion of female officers are assigned to custody duties. This prevents women from using the showers and, given hygiene needs—including menstruation and pregnancy—constitutes degrading treatment. The NPM therefore recommended that the effective and safe use of showers by women be guaranteed.
- **Girls in juvenile offender institutions.** At the juvenile offender institution in the Autonomous Community of Castilla-La Mancha, the NPM found that, as a general rule, all girls are accommodated in the same unit, despite the absence of any legal provision justifying segregation by sex in the allocation of

²³ It should be noted that, in its 2025 annual report, the Defensor del Pueblo devoted a specific chapter to “Issues relating to equality of treatment affecting the Roma community.”

accommodation. This practice contributes to difficulties in coexistence, as reflected in interviews with both minors and staff, and has an impact on the mental and emotional health of the girls. Tensions arising from prolonged cohabitation —often over long custodial periods— lead to the withdrawal of educational incentives and a high number of disciplinary proceedings. Over the past three years, approximately 30% of such proceedings involved girls, even though they represent only 15–20% of the total population. The NPM therefore recommended that measures be adopted, in line with the principle of equality, to regulate the use of space in accordance with educational progression.

This same Recommendation was issued to the Autonomous Community of Valencia in respect of Residencia Socioeducativa Mariano Ribera, which accepted it and reported the current mixed use of residential units (visit [4/2023](#)).

- **Women in prison.** At Centro Penitenciario Puig de les Basses, women have access to a single unit, whereas men do not. During the visit, the NPM observed the difficulties associated with all women being required to share a single restricted space over prolonged periods, with poor acoustics, which, as several inmates reported, contributes to incidents and affects mental health. Furthermore, the NPM found that women cannot be admitted to the prison infirmary when required, unlike men and contrary to medical advice. Information was therefore requested from the Catalan prison authority regarding this situation.

The NPM had previously issued a Recommendation to the Secretariat General of Penitentiary Institutions to ensure equal living conditions in spaces allocated to men and women. In 2025, the secretariat indicated that, out of 43 prisons with female inmates (excluding mixed units), all have a single women's unit, except for five with two units and one with three. Of these, 16 units accommodate 40 or more women (visit [29/2022](#)). These results, among other consequences, in a higher number of incidents and increased use of restraint and isolation measures. In addition to the lack of appropriate separation, discrimination affecting female prisoners in relation to space —single units, smaller cells, architectural barriers, smaller exercise yards, and limited access to training and workshops due to staffing constraints— has been repeatedly identified in visits and case files over the years without being resolved. This is evident in prisons such as Menorca, Madrid I, Antoni Asunción Hernández (Valencia), and the only psychiatric prison available to women (Alicante), where men have access to multiple units serving different therapeutic purposes, whereas women have only a single unit, with isolation as the only alternative in acute cases (visit [78/2021](#)). This lack of space also affects addiction treatment.

In 2024, in 10 mixed prisons, therapeutic units for addiction were available only for men, not for women (visit [104/2019](#)).

3.1.2 Sexual violence, gender-based violence and community resources

The World Health Organization warns that gender-based and sexual violence increase the risk of injury, depression, anxiety disorders, unwanted pregnancies and sexually transmitted infections, and that sexual violence —particularly in childhood— also increases the likelihood of substance use and high-risk sexual behaviour.²⁴

The European Economic and Social Committee, Section for Employment, Social Affairs and Citizenship, considers that the referral of victims to support services must not only be free, timely and coordinated, but also a priority and an urgent matter. During its visits, the NPM identified the need to ensure the effective involvement of community-based resources in this area.^{25,26}

About girls deprived of liberty, the United Nations Human Rights Council notes that the ill-treatment they suffer “is aggravated where they are not provided with adequate and comprehensible information about their rights, nor assisted in lodging complaints safely and confidentially and with the support they require”, making the involvement of community resources in matters of sexual and gender-based violence essential.²⁷

As regards women in prison, the Committee against Torture, in its Concluding observations on the seventh periodic report of Spain (2023), highlights the “lack of appropriate advice for victims of gender-based violence” in prisons.²⁸

Sexual violence prevention protocols

Under current legislation, places of deprivation of liberty must have specific protocols for the prevention and detection of sexual violence, ensuring at all times the support and

²⁴ <https://www.who.int/es/news-room/fact-sheets/detail/violence-against-women>

²⁵ [SOC/798 – EESC-2024-01831-00-01-AC-TRA \(EN\) 1/13](#)

²⁶ The legal obligation to provide assistance, information and the involvement of other entities is established, in addition to Ley Orgánica 1/2004, de medidas de protección integral contra la violencia de género [Fundamental Act 1/2004 of 28 December on comprehensive protection measures against gender-based violence], in several other laws, including: Fundamental Act 8/2021 of 4 June on comprehensive protection for children and adolescents against violence (Articles 9.4, 10.2, 12, 43.4 and related provisions); Act 4/2023 of 28 February on the real and effective equality of trans persons and on guaranteeing the rights of LGBTI persons (Article 33 and related provisions); Fundamental Act 10/2022 of 6 September on the comprehensive guarantee of sexual freedom (Articles 13 and 33); Act 4/2015, the Statute of the Victim of Crime (Articles 5 and 10); as well as the State Pact against Gender-based Violence (2025).

²⁷ [\(A/HRC/31/57\)](#).

²⁸ [\(CAT/C/ESP/CO/7\)](#), section 21.

protection of victims and the proper handling of complaints or claims. Staff must also receive the necessary specialised training in sexual and gender-based violence.²⁹

- **Police stations.** The Secretariat of State for Security does not have such a protocol and does not provide the required training. Recent Instruction 10/2025, updating the “Procedimiento Integral de detención policial” (comprehensive police custody procedure), extends the requirement for gender training for members of the State law enforcement bodies who may be involved in custody, incorporating the Recommendation made by the NPM in this regard (visits [51/2022](#), [54/2022](#) and [7/2023](#)).

The NPM issued a Reminder of Legal Duties to the Autonomous Community of Navarra, requiring that the Policía Foral have the mandatory protocol in place. That same community accepted the Recommendation that custody staff of the Policía Foral receive training on the specific circumstances and particular gender-related needs of detainees.

- **Juvenile centres.** It was also found that the protocols of centres under the Autonomous Communities of Castilla-La Mancha and La Rioja do not include mandatory legal provisions on sexual violence —such as the right to information, access to victim support services and the handling of complaints— despite these being expressly regulated. As a result, the application of these protocols in the cases examined was not in accordance with the applicable legislation. The NPM therefore recommended that these protocols be updated to incorporate the relevant legal provisions.

At the juvenile centre in the Autonomous Community of La Rioja, unlike in centres visited in other autonomous communities, there was no evidence between 2022 and 2025 of the required activation of the protocol in relation to sexual violence suffered before detention, aimed at promoting the physical, psychological and emotional recovery of victims. Information was therefore requested on the reasons for this. The NPM issued a Reminder of Legal Duties to both autonomous communities to ensure that, upon admission to the centre, minors are provided with information on procedures for reporting situations of gender-based violence, sexual harassment and harassment motivated by sexual orientation, gender identity or gender expression.

The NPM also recommended that the governments of both autonomous communities ensure that all staff with regular contact with minors receive initial

²⁹ Articles 15 and 30 of Ley Orgánica 10/2022, de garantía integral de la libertad sexual [Fundamental Act 10/2022 of 6 September on the comprehensive guarantee of sexual freedom].

and ongoing training on gender and comprehensive protection against sexual violence, given that, despite the time elapsed since the entry into force of the legislation, such training had not been provided.

Although the centre in the Autonomous Community of La Rioja accommodates victims of gender-based and sexual violence and a high number of sexual offenders,³⁰ it lacks coordination with community-based resources. The NPM therefore recommended establishing institutional coordination with specialised community services providing legal advice and support in matters of sexual and gender-based violence, as well as specialised treatment for minors serving sentences for offences against sexual freedom.

- **Prisons.** In 2025, the Secretariat General of Penitentiary Institutions still lacked the required protocol, despite repeated Recommendations from the NPM.

During the visit to Centro Penitenciario Puig de les Basses, the Catalan prison authority provided the “Adenda al Protocolo de los Colegios de la Abogacía de Cataluña para la asistencia inmediata a las víctimas de violencia machista, para la asistencia a víctimas internas en centros penitenciarios” (Addendum to the Protocol of the Catalan Bar Associations on immediate legal assistance to victims of gender-based violence, for the provision of assistance to victims in custody in prisons), which guarantees women the possibility of lodging complaints. However, there is no specific protocol for the prevention and detection of sexual violence or for the investigation of identified cases that ensures support and protection for victims.

Staff of both prison authorities also lack the necessary training in the prevention of sexual violence.

Gender-based violence

- **Police stations.** The NPM requested information from the Secretariat of State for Security on the gender-sensitive measures adopted in cases involving women victims of gender-based violence in custody, taking into account scientific evidence to provide contextualised care and avoid any re-victimisation or reactivation of traumatic experiences, particularly where detention takes place alongside a partner or former partner in cases of alleged ill-treatment (search

³⁰ The centre's 2024 annual report states that: Offences against sexual freedom committed by men against women represent the highest proportion of offences for which measures have been served in the centre; At the time of the visit, nine minors convicted of sexual assault were in custody, representing half of the population; The psychology team lacks specialised training in this area and there is no coordination with specialised community services in sexual violence, despite the provisions of Article 4.3 of Fundamental Act 8/2021 of 4 June and the State Pact against Violence (Measure 320).

procedures, allocation to nearby cells, duration of detention in custody, etc.) (visit [7/2023](#)).

Furthermore, in view of the lack of regulation concerning the adoption of precautionary measures or the removal from duty of officers performing custody functions in detention facilities in cases involving gender-based violence, and given the frequent contact of such officers with victims of gender-based violence and trafficking in human beings, the NPM recommended that the Comunidad Foral de Navarra adopt precautionary measures in cases involving gender-based violence by officers of the Policía Foral performing custody duties. A response from the Secretariat of State for Security on this matter is still pending.

- **Juvenile centres.** Despite the serious consequences of gender-based violence for minors, in the centres under the Autonomous Communities of Castilla-La Mancha and La Rioja, no specific interventions or activities are carried out with public bodies or specialised community resources in this field, nor are referrals made. The NPM therefore issued a Recommendation in this regard.

Similarly, the NPM recommended that the Autonomous Community of Murcia ensure that minors who are victims of gender-based or sexual violence receive intervention in coordination with specialised external resources. That administration reported the inclusion of a section entitled “Coordinación con Recursos Externos” (Coordination with External Resources) in its “Programa de Intervención para Víctimas de Violencia de Género y Violencia Sexual” (Intervention Programme for Victims of Gender-Based and Sexual Violence) (visit [4/2022](#))

- **Prison.** Centro Penitenciario Puig de les Basses, in Figueres (Girona), reported that, of the 41 women in the centre, 21 had been victims of gender-based violence (51.22%). The NPM therefore requested information from the Catalan prison authority on the proportion of women victims of gender-based violence who receive assistance in prison from specialised community-based services.

The NPM recommended that the Secretariat General of Penitentiary Institutions establish early detection and support measures for women prisoners who are victims of gender-based violence (visits [7/2022](#) and [11/2021](#)), and requested a list of prisons providing specialised gender-focused legal advisory services, given the high incidence of such offences among the prison population. This information had not been provided at the time of closing this report.

3.1.3 Menstrual health, maternity and breastfeeding

- **Detained women.** Instruction 10/2025 of the Secretariat of State for Security, which updates the “Procedimiento Integral de detención policial”, incorporates

recommendations from the NPM, including the inclusion in the “Información a la persona detenida” (information for the detainee) form of information on pregnancy and breastfeeding. However, the form does not include information on the right to access menstrual health and hygiene products, despite the NPM's 2022 Recommendation on this matter. Subsequently, the legal obligation was established³¹ to guarantee free access to menstrual products for women deprived of liberty, specifying that the provision of such products must respect users' choices and that the products must be available without any mediation, ensuring the protection of identity and confidentiality. The inclusion of this information in the form is an essential requirement for compliance with the law on menstrual management and hygiene —the availability of products without mediation and the choice of products. The NPM reiterated the Recommendation during its visits and recommended that menstrual product dispensers be installed in police stations so that they are available to persons in custody without any mediation (visit [51/2022](#)).

The Autonomous Community of Navarra accepted the Recommendation to regulate the police procedure for detention and custody in cases of pregnancy and/or breastfeeding. It also accepted the Recommendation that women be guaranteed access to menstrual hygiene and health with due privacy, with the “Información de las Normas de Funcionamiento en la Custodia a la Persona Detenida” (Information on the Rules Governing the Custody of Detainees) form recording the right to access menstrual health products and to use the shower, as well as the possibility of making a statement regarding possible breastfeeding or pregnancy.

- **Girls in residential juvenile centres.** It was found that in juvenile centres in the Autonomous Communities of Castilla-La Mancha and La Rioja, relationship and sex education was insufficient for the needs of the population, many of whom are victims of gender-based and sexual violence, and where there is also a high number of minors convicted of sexual offences. The centres also lacked an information document for the internal population on the regulation of sexual and reproductive rights within the centre, and their disability protocols did not refer to sexual and reproductive health, despite disability being a risk factor for having suffered or being at risk of suffering sexual violence or gender-based violence.

³¹ Ley Orgánica 1/2023, de salud sexual y reproductiva y de la interrupción voluntaria del embarazo [Fundamental Act 1/2023 of 28 February on sexual and reproductive health and the voluntary termination of pregnancy], Article 5 quater.

Based on current legislation,³² the NPM recommended that both autonomous communities strengthen relationship and sex education measures in their residential juvenile centres and provide girls with information materials on their sexual and reproductive rights, with the necessary adaptations to ensure accessibility for minors with disabilities.

The Autonomous Community of Extremadura reported that an information document on rights had been circulated in its residential juvenile centres, in accordance with Act 1/2023 of 28 February on sexual and reproductive health and the voluntary termination of pregnancy (visit [36/2023](#)).

- **Women in prison.** In 2023, the Committee against Torture, in its Concluding observations on the seventh periodic report of Spain (CAT/C/ESP/CO/7, section 21), expressly noted shortcomings in sexual and reproductive health services in prisons. That year, the NPM recommended to the Secretariat General of Penitentiary Institutions that a Protocol for the Care of Pregnant Women Prisoners be drawn up (visit [7/2022](#)), and the Secretariat accepted the recommendation. However, after the Recommendation was reiterated in 2025 because it had not been implemented, the Administration stated that the protocol would not be drawn up (visit [104/2019](#)).

3.1.4 Suicide Prevention Protocols and Self-Harm Prevention Protocols

- **Minors.** The NPM has found during its visits, in line with the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Human Rights Council, United Nations General Assembly,³³ that girls show a higher risk of self-inflicted injuries.

At the centre under the Autonomous Community of Castilla-La Mancha, in 2023, 2024 and 2025 up to the date of the visit, the suicide prevention protocol was applied to girls at a higher rate than to boys. As regards the centre under the Autonomous Community of La Rioja, it was found that, in 2023 and 2024, girls received psychiatric treatment and drug addiction treatment in greater proportion, and the suicide prevention protocol and self-harm protocol were activated more often in relation to girls.

These data, together with a higher rate of use of restraint measures on girls in both centres, indicate greater psycho-emotional instability and a response by

³² Fundamental Act 1/2023 of 28 February on sexual and reproductive health and the voluntary termination of pregnancy, and Fundamental Act 8/2021 of 4 June on comprehensive protection for children and adolescents against violence, Article 30.

³³ ([A/HRC/31/57](#)).

the centres that is less suited to the real needs of girls than to those of boys. Information was therefore requested from the respective administrations.

The NPM also recommended that the Autonomous Community of Valencia and the Autonomous Community of Extremadura ensure that their residential juvenile centres have a self-harm prevention protocol incorporating a gender and sexual diversity perspective, with gender-specific indicators for detection, assessment and intervention. This Recommendation was accepted by both communities, with the Autonomous Community of Extremadura submitting the protocol in question (visits 4/2023 and 4/2022).

As regards the two centres under the Autonomous Community of Murcia, in 2024, a high number of activations of the Suicide Prevention Protocol and uses of restraint measures on girls compared with boys were observed, as well as a higher percentage of self-harm among girls than boys at “Las Moreras.” Equality issues will therefore be monitored in future visits to that autonomous community. That autonomous community also provided the results of the “Equality Perception Questionnaires”, which, although not representative due to the small number of participating minors, are considered a positive evaluation tool (visit 4/2022).

- **Prisons.** During the visit to Centro Penitenciario Puig de les Basses, in Figueres (Girona), it was found that activation of the Suicide Prevention Protocol for women was twice that for men in 2024 and in the first half of 2025.

The NPM recommended that the Secretariat General of Penitentiary Institutions include specific risk and intervention factors for LGBTI persons in the Suicide Prevention Protocol. The Administration reported that this approach has not yet been adopted (visit [104/2019](#)).

The Secretariat General of Penitentiary Institutions has also stated that the general Suicide Prevention Protocol for the prison system applies at Residencia de Madres, Alicante. That protocol does not refer to the circumstances of pregnant women or mothers, women undergoing termination of pregnancy, or women in the postnatal period in prison. Nor does it provide for specific mental health measures and psychological support for women who require them during the postnatal period, in the event of perinatal death, or during the process of termination of pregnancy. When information was requested in this regard, the Secretariat General of Penitentiary Institutions replied that measures are taken for each of these circumstances (visit [7/2022](#)).

3.1.5 Risk of ill-treatment

LGBTI minors in residential juvenile centres

The NPM recommended that the Autonomous Communities of Castilla-La Mancha and La Rioja establish a protocol for the detection, prevention and handling of harassment motivated by sexual orientation, gender identity or gender expression, incorporating the relevant legal requirements, including information on rights, since they lacked such a protocol despite the legal obligation to have one.

Restraint and isolation

- **Minors.** During the visit to the residential juvenile centres in the Autonomous Community of Castilla-La Mancha, disproportionate use of restraint measures on girls over the previous three years was observed. In 2025, up to the date of the visit, restraint measures had been used on 20 occasions, 11 of which —55%— involved girls, even though girls represented 16.5% of the internal population at the time of the visit. Significant physical injuries were also found following restraints applied to two girls in 2024. There was no evidence that staff applying restraints had received training taking into account the physical and psychological characteristics of girls, such as weight, anatomy and a prior history of assault, which is very common among girls. Detention proves to be a more hostile and destabilising situation for girls, in which their expression of distress or psychological tension is met with a violent response. The NPM recommended reviewing, from a gender perspective, the grounds for applying restraints and the immobilisation procedure.

As regards the residential juvenile centres in the Autonomous Community of La Rioja, its restraint protocol did not specify how to act effectively with girls, taking into account their physical and psychological characteristics, and in 2023 and 2024, restraints were applied proportionally more often to girls than to boys. The NPM recommended that the restraint protocol include the guidelines established for the immobilisation procedure applied to girls, and that the grounds for the use of restraints be reviewed from a gender perspective.

- **Prison.** The NPM has been conducting annual monitoring of data on the use of isolation and restraints among women in prisons under the Secretariat General of Penitentiary Institutions, based on which it recommended that the application of these measures be reviewed from a gender perspective.

The data submitted by the Secretariat General of Penitentiary Institutions show an overall decrease in the use of isolation measures for women compared with men. As regards restraints, the percentage applied to men and women is similar.

Body pat-down searches

The NPM's Recommendations to the Secretariat of State for Security that the chain of custody and police report should record that transgender persons are offered the possibility of choosing to be searched by a male or female officer, and that the removal of bras should be regulated, were incorporated by that Secretariat into its two "Procedimiento Integral de la Detención Policial" instructions of 2024 and 2025. However, the mechanism's visits show that, in both cases, the applicable regulations are not being followed.³⁴ The NPM issued a Reminder of Legal Duties to the Secretariat of State for Security that the removal of bras must be justified on security grounds by means of the corresponding entry in the incidents section of the detainee register (visits [13/2025](#) and [10/2025](#)).

The Autonomous Community of Navarra accepted these same Recommendations in respect of the Policía Foral de Navarra, which reported that it will amend its current regulations.

3.2 MENTAL HEALTH PROGRAMME

The National Preventive Mechanism (NPM) continues to develop its programme for the prevention of situations involving a risk of ill-treatment of persons with mental health problems who are deprived of their liberty.

These visits, focused not only on the prison system but also on establishments falling within the NPM's remit under General Comment No. 1 of the Subcommittee on Prevention of Torture, such as psychiatric hospitals, have been carried out in coordination with other areas of work of the Defensor del Pueblo, in particular the Health and Social Policy Department and the Security and Justice Department.

3.2.1 Mental health programme in psychiatric centres

Programme objectives

In 2025, the NPM carried out eight visits under the mental health programme: to the Short-Stay Hospitalisation Unit (UHB) of Complejo Asistencial de Segovia (Castilla y León) (visit [1/2025](#)); to the Short-Stay Hospitalisation Unit (UHB) of Complejo Hospitalario Universitario de Albacete (visit [3/2025](#)) and to the Eating Disorders Unit (UTCA) of the same hospital (visit [4/2025](#)); to the Short-Stay Hospitalisation Unit (UHB) of Hospital General Universitario Gregorio Marañón and to the Adolescent Short-Stay

³⁴ As regards searches of trans persons, cases were identified in which the mandatory search prior to entry into the court holding cells was not carried out, or the consent for the search to be conducted by police officers of one sex or the other was not recorded in writing in the police report and the register (visit [13/2025](#)).

Hospitalisation Unit (UADO) of the same hospital (visit [48/2025](#)); to the Short-Stay Hospitalisation Unit (UHB) of Hospital Universitario 12 de Octubre and to the Adolescent Short-Stay Hospitalisation Unit (UHBA) of the same hospital (visit [50/2025](#)); and to Clínica Mentalia Salud de Guadarrama (Madrid) (visit [72/2025](#)).

The processing of case files opened following visits carried out in previous years also continued, and their progress is also reported in this report.

Once again, through the follow-up of these case files and the visits carried out in 2025, the NPM found that the centres visited are generally working towards more comprehensive care, taking particular account of the preventive aspects that the NPM has been recommending. However, clinical and care practices persist, with considerable scope for improvement.

In accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the NPM has broad supervisory powers, and States must allow it to visit any place under their jurisdiction and control where persons are or may be deprived of their liberty, whether by order of a public authority, at its instigation, or with its express or tacit consent. This is in addition to the obligation arising from the Fundamental Act 3/1981 on the Defensor del Pueblo to assist the Defensor del Pueblo as a matter of “priority and urgency”, in the exercise of his functions.

In this regard, the psychiatric hospitals visited in Castilla y León and Castilla-La Mancha, as well as Clínica Mentalia Salud de Guadarrama (Madrid), demonstrated a high level of cooperation and facilitated the NPM team's work.

3.2.2 Outcomes achieved and evaluation of findings

Identification and prevention of situations constituting ill-treatment in the field of mental health

- **Action protocol in situations of ill-treatment.** Following the visit to Sanatorio Hestia La Robleda (A Coruña), the NPM recommended establishing a protocol for the prevention, detection, protection, and care of potential victims of ill-treatment, abuse, or harassment. The Galician Health Service plans to include this aspect in future tendering processes for psychiatric hospitals and specialist mental health residential facilities, both regarding the development of protocols for prevention, identification, and management in this area and the recording of measures. This is considered a noteworthy step forward.

However, the Galician health administration has not responded to the request for information regarding the activation of the protocol in the event of abuse detected at the centre, and that request has been reiterated.

In the case of Hospital de Conxo (A Coruña), it was reported that the protocol is currently being drafted.

The health administration of the Autonomous Community of Castilla-La Mancha has yet to implement this same Recommendation (visit [22/2022](#)).

In the units visited at Complejo Hospitalario Universitario de Albacete, Complejo Asistencial de Segovia and Hospital Universitario Gregorio Marañón in Madrid, the NPM requested the protocol on ill-treatment, as it had not been provided with the other information during the processing of the case files. In the case of Hospital Universitario Gregorio Marañón, the development of a significant number of protocols should be highlighted as good practice.

The NPM also stresses the importance of these centres having a specific action protocol for injuries, as well as a system for recording such situations, rather than merely including them in the medical records. This was identified during a visit to the Short-Stay Hospitalisation Unit (UHB) of Complejo Asistencial de Segovia, where a Recommendation was made to implement such a protocol.

- **The importance of a therapeutic and rehabilitative context.** It should be noted that both the Eating Disorders Unit (UTCA) of Complejo Hospitalario de Albacete and the Short-Stay Hospitalisation Unit (UHB) of Complejo Asistencial de Segovia promote close, personal treatment of patients, which the NPM considers to be an example of good practice. However, in the Short-Stay Hospitalisation Units of Complejo Hospitalario de Albacete, the NPM made a Suggestion to increase the number of activities, giving therapeutic content to patients' stay.

The NPM also made a Suggestion to the Galician Health Service (SERGAS), the administration responsible for supervising Sanatorio Hestia La Robleda (A Coruña), to facilitate activities both inside the centre and in the community. The response provided information on the activities already being carried out and known to the centre, although the number and variety of these activities show scope for improvement. However, following the Suggestion made by the NPM, the centre will involve patients in the preparation and review of their Therapeutic Plan, and the Individualised Therapeutic Plan document will also be incorporated into the electronic medical record. In the Short-Stay Hospitalisation Units of Complejo Hospitalario de Albacete, the NPM recommended implementing a system enabling patients, during admission, to submit complaints or suggestions.

- **Tobacco use.** The problem caused by tobacco use in residential mental health centres persists. In response to the NPM's Recommendation following the visit to Sanatorio Hestia La Robleda, that a comprehensive smoking cessation plan be designed, it was stated that various initiatives continue to be implemented to address this issue.

- **Restrictive measures with therapeutic intent.** The NPM made a Suggestion aimed at eradicating coercive conduct that undermines patients' dignity and eliminating any measure that could be understood as a "punishment or sanction for bad behaviour" at Sanatorio La Robleda (A Coruña). In its response, the competent administration stated that it will work with the centre to implement internal audits to eradicate conduct that may be understood as punishment, sanctions, or coercion in the sense suggested, and to promote training in this regard.
- **Suicide Prevention Protocol.** The NPM made a Recommendation on the implementation of a suicide prevention protocol in the Short-Stay Hospitalisation Units of the hospitals in Albacete and Segovia. It should also be noted that this protocol has already been drawn up at the Child and Adolescent Unit of Hospital Álvaro Cunqueiro (Vigo).

The NPM requested information on a suicide in the Acute Unit of Hospital Universitario Marqués de Valdecilla (Santander) (visit [1/2022](#)), and this information had not been provided when the case file was closed. The lack of transparency on such a serious matter by Cantabria's health administration is a cause for concern.
- **Video surveillance.** The NPM made Recommendations and Suggestions to limit the use of video surveillance systems in bedrooms at both Sanatorio Hestia La Robleda (A Coruña) and the Short-Stay Hospitalisation Units of Complejo Hospitalario de Albacete. The NPM also explained that video surveillance in bedrooms cannot be justified based on mechanical restraint, since such restraint should never be applied in the same room where admitted persons usually reside. In its response, the Administration did not indicate any measures to reverse this situation. For its part, the Regional Ministry of Health of the Autonomous Community of Castilla-La Mancha has not yet responded to this issue.
- **Use of psychotropic medication.** Polypharmacy is regarded as a serious public health problem because of its potential harm to patients through drug interactions and adverse reactions. It is also a predictor of increased morbidity and mortality among adults. Patient safety and prescribing quality programmes, therefore, need to be established. The NPM found in the Short-Stay Hospitalisation Units of Complejo Hospitalario de Albacete that there was a high percentage of polypharmacy, and made a Suggestion for its reduction and control. In response to this same issue, Sanatorio Hestia La Robleda (A Coruña) reported that it will supervise the pharmacy service's validation of medical prescriptions.

Furthermore, in the Short-Stay Hospitalisation Units of Complejo Hospitalario de Albacete, off-label drug doses were observed, with no justification in the medical records. Nor was there any evidence that the patient had been informed before the measure was adopted, and the NPM therefore made a Suggestion accordingly.

Safeguard system in the context of hospitalisation: voluntary admissions

On 6 November 2025, the European Court of Human Rights (ECtHR) found against the Spanish State in a case concerning compulsory admission to a psychiatric hospital, holding that the applicant's procedural safeguards had not been complied with.³⁵ The judgment stresses the need for legal assistance for patients in involuntary admission proceedings, which the NPM has repeatedly found to be rare during its visits.

Along the same lines, to ensure that involuntary admission is the least restrictive measure in cases of mental illness, two requirements must be met under Article 763 of the Civil Procedure Act (LEC): the existence of a mental disorder and the patient's inability to decide on admission for themselves. Although a diagnosis of mental illness is a necessary condition, it can never be considered sufficient in itself. Other circumstances related to the patient's specific clinical situation, which are unique to each case, must also be present. It is therefore not appropriate for the information included in the court notification to be the same for all admissions to the service, and this is an area for improvement.

For all these reasons, the NPM made Suggestions to the Short-Stay Hospitalisation Units of the hospitals in Albacete and Segovia, and reiterated them to the Adolescent Short-Stay Hospitalisation Unit of Hospital Universitario 12 de Octubre, recommending that the documents notifying admission to the court be updated by completing the information provided, stating the impairment of the patient's capacity to consent to the measure, the specific diagnosis, the symptoms justifying the need for closed-unit management, and the reasons preventing outpatient treatment.

Regarding notifications to the court of urgent involuntary admissions via digital systems, during the visit to Hospital Psiquiátrico de Conxo (A Coruña), the Galician Health Service (SERGAS) reported implementing the HERMES system in health centres in the autonomous community. This system is intended for sending and receiving notifications and documents to and from bodies under the Administration of Justice. The NPM considers this an important step forward in ensuring proper management of admissions.

³⁵ [Case of B.M. v. Spain.](#)

The other essential requirement for involuntary admission is that the patient is unable to make their own decision. Establishing whether this requirement is met entails a diagnostic process culminating in an assessment of the patient's capacity to decide on the specific issue of whether to remain in hospital. It is not a question of establishing whether or not the patient wishes to be admitted, but whether the psychopathological disturbances they present compromise the validity of their consent, even where that consent is in favour of admission. During its visits, the NPM has found that there is no standardised way of assessing capacity to decide on admission, using specific scales or psychological tests on which to base that capacity diagnosis. Instead, the assessment is based on the clinical interview. For all these reasons, during the visit to the Short-Stay Hospitalisation Units of Complejo Asistencial de Segovia, the NPM requested information on the possibility of developing capacity assessment protocols to improve the diagnostic procedure, including the use of various tests to diagnose such capacity, to reduce the subjective element as far as possible and focus on respect for patient autonomy and dignity.

Following the visit to Sanatorio de La Robleda (A Coruña), the NPM also made a Recommendation to promote the adoption of capacity assessment protocols to improve the diagnostic process and standardise medical practice, thereby reducing subjectivity. In its response, the Galician Health Service did not accept the Recommendation, citing the exhaustive use of assessment, which does not correspond to the situation analysed by the NPM, given the duration of many admissions at the centre. Similarly, following the visit to Hospital Universitario Gregorio Marañón in Madrid, the NPM made a Suggestion that the document notifying the court of involuntary admission be reviewed so that it includes the mental health grounds for the admission, the specific clinical situation making admission the appropriate therapeutic approach, and the clinical justification preventing the patient from deciding for themselves.

Likewise, in the case of Sanatorio Hestia La Robleda (A Coruña), the duration of admissions, some of which last years, suggests the existence of non-medical grounds. Each case should therefore be reviewed to determine whether the clinical indication for admission still exists, thereby avoiding the inappropriate use of Article 763 of the Civil Procedure Act to address a situation of social rather than medical need. The Galician Health Service denied this in its response.

Mechanical and pharmacological restraints and their eradication

The *2024 annual report* of the Public Prosecutor's Office noted that, in relation to restraints, occasional incidents had been reported concerning situations of abuse or ill-treatment insufficiently addressed by the management of some centres. The Public Prosecutor's Office highlighted the need to improve mechanisms for forwarding and handling complaints or reports, particularly those submitted by patients and inmates

themselves. It also considered it advisable to assess regulatory initiatives, where appropriate, to strengthen safeguards in the actions of centre management regarding the minimum inquiry and reporting to the competent authority of any complaint or report, and to ensure that such safeguards include the obligation to establish protocols and sufficiently document the actions taken in this regard.

The NPM has repeatedly stressed in previous reports the need for a uniform legislative framework on restraints. To establish preventive measures, it is essential to define the criteria that distinguish dignified from degrading treatment in healthcare settings.

- **Mechanical and pharmacological restraints.** The NPM's 2025 visits show that numerous long-term restraints remain in use.

During the visit to Sanatorio Hestia La Robleda (A Coruña), after finding a generic prescription for mechanical restraints, the routine use of “room restraint” —locking patients in their rooms for days— and the routine use of nappies during mechanical restraints, the NPM made a Recommendation to avoid these practices. In its response, the Galician Health Service argued that pharmacological or mechanical restraint is always prescribed individually and as a therapeutic measure to ensure the patient’s integrity, without providing any objective data to support this, contrary to the NPM’s analysis.

The NPM also made a Recommendation in the Short-Stay Hospitalisation Units of Complejo Hospitalario de Albacete to discourage the use of restraints, given the high number detected. On the same issue, regarding the Acute Unit of Hospital Universitario Marqués de Valdecilla (Cantabria), the health service of that autonomous community stated that it advocates non-generic indications and reported that it is launching a campaign to improve practice in centres under its authority. In the Eating Disorders Unit (UTCA) of Complejo Hospitalario de Albacete, it was found that restraints were not used, which is considered good practice.

The NPM issued a Recommendation for the revision of the Restraint Protocol at the Sanatorio Hestia La Robleda (A Coruña). In its response, the Galician Health Service referred to its protocols without specifying the proposed update. The NPM also made a Suggestion concerning the Short-Stay Hospitalisation Units (UHB) of the hospitals in Albacete and Segovia that their specific restraint protocol be updated. In the processing of the case file relating to the Mental Health Hospitalisation Unit of Hospital Universitario Virgen de la Victoria in Málaga (visit [26/2022](#)), the updated protocol was submitted, which the NPM views positively. It is also worth noting, positively, that in the processing of the case file concerning Hospital Psiquiátrico Fuente Bermeja (Burgos), information

was provided on the creation of a multidisciplinary working group by the Social Services Management Authority of Castilla y León to define protocols for mechanical and chemical restraint in these centres.

The NPM highlights, as a positive development, the report that video recording has been installed in the restraint room at Hospital de Conxo (A Coruña), as recommended. By contrast, in the case files concerning Fuente Bermeja and the Mental Health Hospitalisation Unit of Hospital Regional de Málaga, it was stated that the NPM's Recommendation on installing video recording in restraint rooms was not accepted. It should be noted that, in accordance with the guidelines issued by the European Committee for the Prevention of Torture (CPT), the NPM recommends the use of video recording systems in rooms where mechanical restraints are applied, to supplement direct and continuous supervision by qualified staff and facilitate objective observation and documentation of interventions. This is solely intended to guarantee the safety, wellbeing and fundamental rights of persons subjected to this measure. The measure must be implemented with full respect at all times for the privacy and dignity of those monitored, ensuring that recordings are used exclusively for supervision, control and rights-protection purposes, and establishing clear protocols for the retention, access and management of images, in accordance with the regulations in force on personal data protection.

- **Recording and notification.** The NPM continues to find, during its visits, that there is no restraint register to allow straightforward supervision of the restraints applied. For this reason, it made a Recommendation concerning the Short-Stay Hospitalisation Units (UHB) of the hospitals in Albacete, Segovia, and Gregorio Marañón in Madrid, that each hospitalisation unit should have a specific register of both mechanical and pharmacological restraints, including detailed and accurate information on the measures adopted. At a minimum, the following data should be recorded: the patient's name or medical record number; start and end time of application; whether authorisation was given by telephone or in person; informed consent; who ordered the restraint; restraint points applied; reason; staff applying the measure; and place where it occurred. In addition, the NPM calls for a digitalised and accessible register of video recordings of restraints applied, and for patients who request it to receive a full copy of the register entry.
- **Staff training.** Following visits to the Short-Stay Hospitalisation Units (UHB) at the hospitals in Albacete and Segovia, the NPM issued a Recommendation to develop a continuing training plan for staff on alternatives to restraint.

The NPM also made a Recommendation following the visit to Sanatorio Hestia La Robleda (A Coruña), which has been accepted, that "post-incident support" be provided when mechanical restraints are applied. The same

Recommendation was made in respect of the Short-Stay Hospitalisation Units of the hospitals in Albacete and Segovia.

It should be noted that both the Short-Stay Hospitalisation Unit (UHB) of Complejo Hospitalario de Albacete and that of Complejo Asistencial de Segovia have introduced a specific room to facilitate the management of situations that may clinically escalate and require therapeutic immobilisation. This tool is designed to prevent such escalation and may be used alongside verbal de-escalation where considered necessary. The use of this tool reflects the service's commitment to ensuring that therapeutic immobilisation is a last resort and marks the line of work to be followed.

3.2.3 Mental health programme in prisons

The structural problem of the shortage of healthcare staff in prisons persisted during the year covered by this report, including in psychiatry. In the October 2025 call corresponding to public employment offers for 2022, 2023 and 2024, the Ministry of the Interior filled only 6 of the 89 posts for prison doctors: 69 posts for family and community medicine and internal medicine, and 20 for psychiatry. According to data from the Spanish Society of Prison Healthcare, the Spanish prison healthcare system had 170 doctors for almost 50,000 prisoners in September 2023 —one doctor for every 294 inmates. 69% of medical posts in these centres are vacant, with 366 of 536 doctor posts unfilled.

In 2025, the NPM carried out three visits under this programme: to the Centro Penitenciario de Pamplona in Navarra (visit 27/2025); to the Centro Penitenciario Las Palmas I (visit 62/2025); and to the Centro Penitenciario Las Palmas II (visit [64/2025](#)), both in Gran Canaria. It also followed up on case files opened during previous visits to prisons under this programme.

Penitentiary centres

During the NPM's visits, a number of strategic issues that define this project's framework were assessed.

- **Problems accessing documentation.** It should be noted that during the visit to the Centro Penitenciario de Pamplona, the NPM technical team had difficulty accessing the contents of the medical records through the doctor attending the visit. This was the first time this had occurred in a penitentiary centre, evidencing a lack of knowledge among some healthcare professionals regarding the functions of the Defensor del Pueblo.

In the subsequent submission of medical documentation, the documents contained disorganised, fragmentary care information, as well as patients' full

records from outside the prison setting, including data unrelated to the purposes of the visit. No information was provided on the specific medication prescribed to each patient at the time of the visit, or on their current dosage regimen, and the general medication lists sent were in pseudo-anonymised format and organised by calendar year, making it impossible to establish individual clinical relationships or conduct a qualitative or longitudinal analysis of treatments. All of this limited the transparency of the process and compromised the NPM's oversight. A Suggestion was therefore made to Servicio Navarro de Salud-Osasunbidea.

- **Transfer of prison healthcare competences.** Centro Penitenciario de Pamplona falls under the Secretariat General of Penitentiary Institutions. Its healthcare is the responsibility of the autonomous health service, in this case, Servicio Navarro de Salud-Osasunbidea, following the transfer of prison healthcare functions and services on 1 August 2021. This transfer has generated a transition process in which certain structural, organisational and training-related obstacles remain. These directly affect the quality and continuity of care, and the rights of persons deprived of liberty, and must be addressed if the improvements expected as a result of the transfer are to be fully consolidated.

Among the advantages of transferring prison healthcare to the autonomous health service, Servicio Navarro de Salud-Osasunbidea, are improved coverage of medical posts and the existence of a structured mental health team, enabling more effective management of complex psychiatric conditions. Also noteworthy is the use of the same healthcare management programme used in non-prison primary care, ATENEA, in the prison setting. Its advantages include continuity of care, access to complete clinical information, computerised medication management, the ability to expedite requests for and management of referrals, and access to diagnostic results.

Conversely, the NPM found a lack of structured medical leadership, and that medical documentation is not integrated into the medical record. Also noteworthy is the lack of interoperability between systems, as OMI, used by the Secretariat General of Penitentiary Institutions, and ATENEA are not integrated, as well as the lack of specific training in the prison environment. Overall, the mechanism considers that integration has improved the institutional framework and external accessibility, but requires strengthened continuity of care, document traceability, and internal clinical supervision to become established as a reference model.

Following the visit to Centro Penitenciario de Pamplona, the NPM made a Suggestion to improve human resources in mental health by increasing the number of psychiatrists and clinical psychologists, and to create the role of a medical lead with coordination functions.

- **Comprehensive Mental Health Care Programme (PAIEM)** The document of the PAIEM at Centro Penitenciario de Pamplona provides for a multidisciplinary team, clinical and rehabilitative intervention phases, the preparation of individual rehabilitation plans (PIR) and monthly follow-up meetings. However, analysis of the documentation, interviews conducted during the visit and the centre's own records show a significant gap between the written protocol and its effective implementation.

The multidisciplinary team has not been officially established, and there is no updated protocol approved for effective implementation. The frequency of meetings does not appear to meet the protocol's commitment to monthly meetings. There is no updated, shared list of inmates included in the PAIEM. There is no effective, formalised coordination with the Mental Health network of Servicio Navarro de Salud. Finally, in practice, the programme lacks sufficient flexibility or capacity to respond to critical incidents, such as the use of coercive measures.

The analysis shows a substantial gap between the theoretical design and the practical application of the PAIEM. The NPM therefore made the relevant Suggestions to remedy this situation, with the following aims: establishing a multidisciplinary team, maintaining updated, shareable lists of persons included in the PAIEM, and increasing the time allocated to therapeutic and educational activities.

The use of isolation for persons included in this care system persists. The NPM therefore reiterated the Suggestion to cease this measure at Centro Penitenciario de Mallorca (visit [31/2023](#)), although no specific measures have yet been provided that would be implemented effectively to address this situation.

With regard to the Recommendation on recording the treatment of persons with psychiatric problems at Centro Penitenciario Puerto III (Cádiz), the Secretariat General of Penitentiary Institutions indicated that it had taken note of the NPM's considerations and was holding training courses and videoconference sessions with centres to address this issue.

- **Training in human rights and mental health.** It remains evident that training for prison officers and nursing staff in human rights and in caring for persons with mental illness in the prison environment is still a pending issue. This conclusion follows from the response received to the Recommendation issued in this regard after the visit to the Centro Penitenciario de Mallorca.

The Administration accepted training for nursing staff, but improving training for other officers remains difficult because attendance at the courses held is not mandatory.

- **Injury reports.** At Centro Penitenciario Pamplona, injury reports are simple medical reports and do not comply with the Recommendations set out in this institution's study on [injury reports on people deprived of liberty](#). The NPM therefore made a Suggestion in this regard.
- **Suicide Prevention Protocol (PPS).** Following the visit to Centro Penitenciario de Pamplona, the NPM made several Suggestions on the need for inter-institutional coordination to ensure full knowledge of the persons included in the suicide prevention protocol; to reconsider the role of the support inmate in that programme; to ensure that all persons included in it receive accurate information, including informed consent; and, lastly, to prioritise clinical, psychosocial and family-contact support measures over purely surveillance-based or restrictive measures.
- **Directly Observed Treatment (DOT).** Concerning Directly Observed Treatment (DOT), following the visit to Centro Penitenciario de Pamplona, a Suggestion was made to extend it to all residential units of the penitentiary centre for persons receiving psychotropic medication with addictive potential and susceptible to diversion or misuse.
- **Mechanical restraints.** Following the visit to the Psychiatric Hospitalisation Unit of Brians I (Sant Esteve Sesrovires, Barcelona), the NPM made a Recommendation to draft a specific protocol and a post-incident support system. This was accepted, with the Generalitat de Catalunya reporting that, in 2025, a joint framework protocol would be drawn up between the prison healthcare programme and the various healthcare companies providing mental health services in Catalan prisons. Along the same lines, the NPM made a Suggestion to Centro Penitenciario Pamplona that it update its mechanical restraint protocol.

3.3 PROGRAMME ON INTELLECTUAL DISABILITY IN DEPRIVATION OF LIBERTY FACILITIES

Since 2022, the National Preventive Mechanism (NPM) has carried out visits analysing the existence of possible treatment that may cause distinction, exclusion or restriction on the grounds of disability, resulting in the impairment or nullification of the recognition, enjoyment or exercise of the rights of persons in places of deprivation of liberty.³⁶ Up to

³⁶ In 2022, a disability-focused programme was launched in the context of juvenile offender institutions and police stations, and in 2025 it was extended to the prison system. The visits carried out show the work undertaken under this programme:

- **Juvenile offender institutions:** (under the authority of the autonomous communities). Centres have been visited in the following nine autonomous communities: Murcia: Centro Educativo La Zarza (visit [5/2022](#)); Valencia: Centro de Menores Mariano Ribera (visit [3/2023](#)); Andalusia: CIMI Sierra Morena ([13/2023](#)) Extremadura: Centro de Cumplimiento de Medidas Judiciales Vicente Marcelo Nessi (visit [35/2023](#)); Cantabria: Centro

the end of 2025, the NPM had visited 10 juvenile offender institutions across 9 autonomous communities as part of this programme.

The Committee against Torture, in its *Concluding observations on the seventh periodic report of Spain*, stated that the State party should ensure that solitary confinement is not applied to persons with physical or mental disabilities.³⁷ Throughout 2025, the NPM continued to monitor compliance with this obligation.

To this end, the programme on intellectual disability in centres for juvenile offenders continued, with visits to Centro Educativo Juvenil La Cañada (Toledo) (visit [22/2025](#)), under the Autonomous Community of the Junta de Castilla-La Mancha, and Centro Educativo Virgen de Valvanera (visit [32/2025](#)), under the Autonomous Community of La Rioja. Centro Penitenciario Puig de les Basses, in Figueres (Girona), was also visited, although the conclusions arising from this visit will be included in the next NPM annual report.

In addition, in 2025, the NPM carried out three visits, under the intellectual disability programme, to court holding cells under the Secretariat of State for Security: Comandancia de la Guardia Civil de Valladolid (visit [10/2025](#)), Comisaría Provincial de la Policía Nacional de León (visit [12/2025](#)) and Comisaría Provincial de la Policía Nacional de Guadalajara (visit [36/2025](#)). These visits aimed to verify the effective implementation of the Recommendations set out in Instruction 1/2024 of the Secretariat of State for Security. Following these visits, the Secretariat of State for Security adopted a new regulation, Instruction 10/2025 of 15 September 2025, updating the

Socioeducativo Juvenil Gobierno de Cantabria (visit [5/2024](#)) and Centro de Acogida Especializado de Menores Valle de Cayón (visit [11/2024](#)); Basque Country: Centro Educativo Urgozo (visit [8/2024](#)); Navarra: Centro Educativo Aranguren (visit [25/2024](#)); Castilla-La Mancha: Centro Educativo Juvenil La Cañada (visit [21/2025](#)); La Rioja: Centro Educativo Virgen de Valvanera (visit [32/2025](#)). Ten autonomous communities and the autonomous cities of Ceuta and Melilla remain pending for visits.

- **Police stations under the authority of the Secretariat of State for Security:** Comisaría Provincial de Burgos de la Policía Nacional (visit [53/2022](#)); Jefatura Superior de Policía Nacional de La Rioja (visit [50/2022](#)), and Comisaría Provincial de Málaga (visit [6/2023](#)).
- **Police station under the authority of the Policía Foral de Navarra:** Police Headquarters of the Policía Foral de Navarra in Pamplona (visit [29/2024](#)).
- **Penitentiary centre under the authority of the Autonomous Community of Cataluña:** CP (penitentiary centre) Puig de les Basses (Figueres, Girona) (visit [60/2025](#))

³⁷ Paragraph 28 of the Committee against Torture report ([CAT/C/ESP/CO/7](#)) states: “The State party should ensure that solitary confinement is applied only in exceptional cases, as a last resort, for the shortest possible time (not exceeding 15 days) and subject to independent review, and only with the authorisation of the competent authority, in accordance with Rules 43 to 46 of the Nelson Mandela Rules. Pursuant to Rule 45, paragraph 2, the imposition of solitary confinement sanctions shall be prohibited where the prisoner has a physical or mental disability that could be aggravated under such a regime.”

comprehensive police detention procedure. However, analysis of the new instruction showed that it does not include any substantive developments on disability compared with the previous instruction. At the time of closing this report, all these actions initiated in 2025 were pending a response from the competent authorities.

During 2025, the NPM analysed the responses to Recommendations made in case files from previous years and found that they had mostly been accepted, except in specific cases detailed in the relevant sections.

3.3.1 Measures to prevent discriminatory situations

The purpose of the NPM's programme for the prevention of disability discrimination is to verify, during visits, that the conditions in which persons with intellectual disabilities experience deprivation of liberty do not entail situations involving a risk of ill-treatment, and to analyse the possible existence of causes of discrimination resulting from a failure to take account of their specific characteristics and needs.

Throughout 2025, in the context of visits to centres for juvenile offenders, the NPM continued to recommend that the admission of minors with intellectual disabilities, or of minors in respect of whom there are indications that they may have such disabilities, be expressly communicated to the competent court and juvenile prosecutor's office, to ensure that this relevant circumstance is duly taken into account in any decision that may affect them. The competent authorities of the governments of Cantabria, Navarra, and the Basque Country reported that they accepted this Recommendation.

As a result of the 2025 visits, the NPM identified the risk situations outlined in the following sections.

Recording intellectual disability, incorporating variables into statistical data and information on admission

- **Juvenile centres.** During the visit to the Virgen de Valvanera centre (La Rioja), the NPM requested the register of minors with disabilities. Analysis of that register showed that no specific distinction is made between psychosocial disability and intellectual disability. Insufficient data collection on intellectual disability was also observed, with such disability being subsumed under generic categories of psychosocial or psychological disability. This leads to the rendering of minors with intellectual disabilities invisible and hinders the adoption of measures tailored to their specific needs. The NPM therefore recommended that the disability classification be reviewed.

It also found that no information on disability is collected fully or systematically. The lack of consistency between the verbal information provided and the documentation submitted reveals insufficient knowledge on the part of

the centre and reveals the absence of an approach geared towards adopting the necessary adjustments (visits [22/2025](#) and [33/2025](#)).

In addition, the annual reports contain no information on minors with disabilities. The lack of disaggregated information on minors with disabilities prevents the availability of statistical data to understand the situation and to implement policies guaranteeing the full exercise of their rights. The NPM recommended that the disability variable be incorporated into data collection and that statistics be produced with data disaggregated by disability, both in annual reports and across the different registers, to facilitate adapted interventions.³⁸

As regards the information provided on admission, the NPM found that the admission dossier meets easy-read and information-adaptation criteria. However, it does not refer to violence-prevention protocols or the welfare and protection coordinator. A Recommendation was therefore made that, upon admission to the centre, information should be provided in easy-read format on the protocol for the prevention, detection, protection and care of possible victims of violence, abuse or harassment, and on the role of the welfare and protection coordinator (visits [22/2025](#) and [33/2025](#)).

- **Police stations.** During visits to court holding cells under the Secretariat of State for Security in 2025, the NPM found that no information was available on persons with intellectual disabilities who had been detained, leading to the conclusion that electronic data collection is not being carried out (visits [9/2025](#), [12/2025](#) and [36/2025](#)). The NPM therefore reiterated the Recommendation that the disability variable be recorded.

In 2025, the mechanism received a response from the Autonomous Community of Navarra reporting that the presence of persons with intellectual disabilities is recorded in the relevant field, although it was not clarified whether the data are entered into the IT application. The NPM therefore requested information on this issue.

Lack of training on the rights of persons with disabilities

Various international and national regulations, agreements, and reports establish the need for professionals who work with persons with disabilities to receive specific training. These texts include Royal Legislative Decree 1/2013 of 29 November approving the consolidated text of the General Act on the rights of persons with disabilities and their

³⁸ The preamble to Act 15/2022 of 12 July on equal treatment and non-discrimination states that, in compliance with the observations of various international bodies, public authorities have a duty to collect and systematise data in order to diagnose reality and design the most appropriate policies on equal treatment and non-discrimination.

social inclusion; the Convention on the Rights of Persons with Disabilities; the Concluding observations on the combined second and third periodic reports of Spain of the Committee on the Rights of Persons with Disabilities, of 9 April 2019;³⁹ and Resolution 2223 (2018) of the Parliamentary Assembly of the Council of Europe.⁴⁰

- **Juvenile centres.** Concerning specific staff training on the care of persons with intellectual disabilities, the NPM observed that this training has not been provided since 2023 (visit [33/2025](#)), or that it is limited to a small number of staff, despite the significant presence of minors with disabilities in the centre (visit [22/2025](#)). It therefore made a Recommendation to the Regional Ministry of Social Welfare of the Autonomous Community of Castilla-La Mancha and to the Department of Health of Social Policies of the Autonomous Community of La Rioja that training on the rights of persons with intellectual disabilities be promoted for all staff in centres for juvenile offenders, especially educational and technical staff, to ensure that the exercise of those rights is full and effective.
- **Police stations.** In 2025, the NPM received information from the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra (visit [29/2024](#)), stating that it does not provide any specific training on the care of detained persons with disabilities. The NPM therefore recommended that police staff who have contact with detained persons receive specific training on the rights of persons with disabilities to strengthen their skills and promote appropriate awareness in this area.

As regards court holding cells under the Secretariat of State for Security, although that Administration accepted the Recommendation to provide training on the rights of persons with disabilities —already included in Instruction 1/2024 and also in the new Instruction 10/2025— during the visits carried out in 2025 the mechanism found that no training is provided on caring for persons with intellectual disabilities (visit [9/2025](#)), or that only a limited number of police staff had received the corresponding training, with the further circumstance that such training had taken place in 2023 and not recently, as required by Instruction 10/2025 (visits [12/2025](#) and [36/2025](#)). The NPM therefore reiterated the Recommendation.

³⁹ In paragraph 7, the Committee on the Rights of Persons with Disabilities recommends that the State party continue providing training to professionals, including judges and law enforcement officers, healthcare professionals and teachers, as well as staff working with persons with disabilities, in order to raise awareness of the rights established in the Convention.

⁴⁰ This resolution urges Council of Europe member states to provide disability training to judicial and prison staff and to include awareness of disability and multiple and intersectional discrimination in recruitment criteria. <https://pace.coe.int/en/files/24813/html>

Spaces

- **Juvenile centres.** In 2025, the NPM found a residential unit for minors entering Centro Educativo Juvenil La Cañada (Toledo) for the first time (visit [22/2025](#)). This is the admission or observation unit. Persons who display disruptive behaviour are also referred to this same unit, meaning that newly admitted minors with intellectual disabilities share space with those serving a sanction or who have undergone educational regression as a result of their behaviour. Minors with disabilities are also sent to this unit when misconduct occurs.

Regression to the admission/observation unit for minors with disabilities reduces their chances of progress and of obtaining benefits, since it is more difficult for them to maintain good conduct for various reasons linked to their cognitive, emotional and social development. They may have difficulty understanding rules, communication problems, difficulties managing emotions or socialisation problems, all of which require appropriate support and strategies. The mechanism, therefore, recommended that the admission/observation unit not be used for minors with intellectual disabilities.

The NPM also recommended that rooms used for restraint or separation not be used for minors with intellectual disabilities (visit [33/2025](#)), since these rooms lack shelves, the doors have a small window instead of a peephole, and there are no call bells inside, meaning that in an emergency, they would be unable to call for assistance.

In 2025, the NPM received a response from the Regional Ministry of Social Inclusion, Youth, Families and Equality of the Autonomous Community of Cantabria (visit [5/2024](#)), which considered the space used for admission or educational regression of minors with intellectual disabilities to be appropriate. The NPM's view is that spaces used both for admission and for educational regression are generally not appropriate for minors entering a centre of this kind for the first time, and even less so for minors with intellectual disabilities.

- **Police stations.** During the visits carried out in 2025, the NPM found that, in police stations under the Secretariat of State for Security, if a person with an intellectual disability were admitted, the cells intended for minors would be used (visits [12/2025](#) and [36/2025](#)), although one of the stations did not have such cells (visit [9/2025](#)).

During 2025, the NPM received information from the Autonomous Community of Navarra reporting acceptance of the Recommendation made in 2024, following the visit to the Police Headquarters of the Policía Foral de Navarra, that persons with intellectual disabilities should occupy cells in which they have no contact with other detained persons (visit [29/2024](#)).

Situations of isolation, restraints and searches

During the visits carried out in 2025, the NPM found that some minors with intellectual disabilities were frequently sanctioned with separation from the group, deprivation of participation in the centre's recreational activities or deprivation of recreational outings. The NPM therefore made a Recommendation that reasonable adjustments be made to the rules and disciplinary regime to adapt them to minors with intellectual disabilities, and another Recommendation that the sanction of separation from the group not be applied to minors with intellectual disabilities (visits [22/2025](#) and [33/2023](#)).⁴¹

The Regional Ministry of Social Inclusion, Youth, Families and Equality of the Autonomous Community of Cantabria accepted the Recommendation to review the rules and disciplinary regime, making adjustments to adapt them to minors with intellectual disabilities (visit [5/2024](#)).

As regards personal searches, it should be noted that minors with disabilities are subjected to the same searches as other minors. Thus, every time they return to the centre after a family visit, leave, an outing to an external resource or a visit to the health centre, they undergo a personal search in which they must remove all clothing, including underwear; they are given a gown; a metal detector is then passed over their body; and the clothing they have removed is checked (visit [22/2025](#)). This type of search is considered disproportionate for any minor, but has a greater impact on minors with intellectual disabilities, given their difficulties and limitations in understanding why the search is being carried out, possible difficulties in interpreting whether the situation is safe or threatening, their vulnerability in relation to privacy, and the greater likelihood that they may have experienced traumatic situations, which may trigger emotional reactivity. For these reasons, a Reminder of Legal Duties was issued.

3.3.2 Healthcare

Suicide prevention protocol and self-harm protocol

During visits to youth centres, the NPM found that the activation of self-harm prevention protocols for minors with intellectual disabilities is not recorded in a disaggregated manner (visit [33/2025](#)). To reflect on and act upon these data, information on persons with disabilities for whom the protocol is activated would need to be collected in disaggregated form. The NPM therefore recommended that a self-harm register be introduced, recording whether the protocol has been activated for minors with intellectual disabilities.

⁴¹ In 2023, 40% of group-separation sanctions were imposed on minors with intellectual disabilities and, in 2024, almost 60%.

The NPM received a response from the Autonomous Community of Cantabria accepting the Recommendation to incorporate the disability perspective into the Suicide Prevention Protocol at the Centro Socio Educativo Juvenil of the Autonomous Community of Cantabria, and to open a self-harm register (visit [5/2024](#)).

Addiction treatment

Following the visit to Centro Educativo Aranguren, the Department of Social Rights, Social Economy and Employment of the Autonomous Community of Navarra accepted the Recommendation to implement a drugs and other addictions programme and treatment adapted to minors with intellectual disabilities (visit [26/2024](#)).

3.3.3 Prevention of ill-treatment risk

During visits to La Cañada and Virgen de Valvanera, it was found that a Protocol on the use of restraint measures specifically accounts for intellectual disability. Despite the existence of this protocol, a high use of restraint measures on minors with disabilities was found. In 2023, 32% of all restraints had been applied to minors with disabilities, and in 2024, the figure was 43% (visit [22/2025](#)).

As regards the Protocol for the prevention, detection and handling of harassment, abuse or any other form of violence, the NPM found that it lacks a cross-cutting approach and does not take into account any specific adaptation to the particular vulnerability of minors with disabilities to abuse, harassment or violence. Recommendations were therefore made in this regard (visits [22/2025](#) and [33/2025](#)).⁴²

3.4 PROGRAMME ON DEATHS IN CUSTODY

3.4.1 National Preventive Mechanism (NPM) actions in penitentiary centres

In 2022, the National Preventive Mechanism (NPM) launched a project on deaths in prisons, which was subsequently extended to other types of deaths in custody. The presence of numerous risk factors for death among persons deprived of liberty makes it necessary for this issue to be subject to continuous supervision and evaluation.

The main international legal reference is the Minnesota Protocol, a guide prepared by the Office of the United Nations High Commissioner for Human Rights containing procedures for the investigation of deaths that may be attributable to acts or omissions of the State.⁴³ In 2023, in application of these guidelines, the Ministry of Justice approved

⁴² A case was identified in which a minor with a recognised degree of disability of 66% had been subjected to ongoing harassment and reported having suffered insults, discriminatory conduct and degrading treatment by peers over several months.

⁴³ Office of the United Nations High Commissioner for Human Rights, *The Minnesota Protocol on the Investigation of Potentially Unlawful Death* (2016), New York and Geneva, 2017.

the *Guide to Good Practice for forensic medical action in situations of death in custody*, which provides valuable technical and procedural recommendations for forensic doctors dealing with deaths in contexts of deprivation of liberty.

The NPM has followed up on the Recommendations made following previous visits to Centro Penitenciario de Madrid VII (visit [23/2023](#)) and Centro Penitenciario de Murcia II (visit [21/2024](#)), as well as the ongoing case file for the collection of data from the different prison authorities, for processing, evaluation and use in the development of the project.

The main actions carried out in 2025 under this programme on deaths in custody are set out below, according to its main areas of supervision: strengthening the recording of deaths, developing investigation mechanisms and implementing measures aimed at preventing deaths of persons deprived of liberty.

3.4.2 Challenges and progress

Recording deaths of inmates in penitentiary centres

The NPM places particular emphasis on the proper recording of deaths as a central element of its supervisory work. To this end, it followed up on the case file opened in 2024 to obtain from the various prison authorities —the Secretariat General of Penitentiary Institutions, the Catalan prison authority and the Basque prison authority— the periodic and systematic submission of information on all deaths of persons under their responsibility, regardless of the cause and place of death.

This information is essential to improve understanding of the scale, characteristics, and causality of deaths, facilitate comparative analysis, and guide the adoption of effective preventive measures. However, difficulties persist in obtaining complete, homogeneous and up-to-date data, which limits the scope of supervision. In this context, the NPM considers it essential to strengthen constructive, ongoing dialogue with the administrations involved to move towards the timely and adequate submission of information.

Following the visit to Centro Penitenciario de Murcia II, a Recommendation was made to the Secretariat General of Penitentiary Institutions, highlighting the need to create a specific model for recording inmate deaths and to issue the necessary instructions to penitentiary centres to ensure it is completed correctly and homogeneously. It was also indicated that the register should not be limited to recording the place, time, and cause of death, but should also include other information relevant to the investigation, such as the availability of toxicology reports from the autopsy and other elements that clarify the circumstances of death.

Although the Secretariat General of Penitentiary Institutions did not accept the Recommendation, the NPM considers it necessary to emphasise the importance of a comprehensive and homogeneous register of deaths as an essential tool for analysis, the prevention of deaths in custody, and the improvement of supervisory mechanisms.

Investigation of deaths

The prison authority not only has an obligation to protect the life of all persons in its custody, but also to ensure that any death occurring under its responsibility is investigated immediately, thoroughly and impartially, to clarify the facts, determine responsibilities and prevent similar situations in the future.⁴⁴

In this framework, the NPM stresses the importance of the Administration having access to autopsy reports on deaths of persons in its custody, since knowledge of such reports is essential not only to clarify the causes of death, but also to identify possible risk factors and systemic failures, allowing corrective and preventive measures to be adopted. The fact that the death occurs while the Administration is exercising custodial functions gives the State a legitimate interest in accessing those reports, in accordance with Article 140 of the Criminal Procedure Act and Article 235 of the Fundamental Act on the Judiciary. In this regard, the NPM suggested to the Secretariat General of Penitentiary Institutions that it standardise the model and procedure used by the different centres to request autopsy reports, to ensure that the legitimate interest in obtaining them is duly evidenced and reasoned in each case.

The NPM welcomes the Ministry of Justice's acceptance of its Recommendation to promote the reciprocal transmission of information on the causes and circumstances of deaths occurring in penitentiary centres. To this end, the Ministry announced the creation of a working group to study deaths in custody, whose effective implementation will be monitored.

The Recommendation addressed to the Ministry of Justice, requesting that it issue the necessary instructions to the National Institute of Toxicology and Forensic Sciences (INTCF) to prioritise the analysis of samples and the preparation of toxicology reports relating to deaths in custody, was also accepted. For this purpose, the LIMS tool used by the Institute included the option "penitentiary centre" as the event location, to give priority to cases involving deaths of persons deprived of liberty. This institution trusts that the measure adopted will help clarify the causes of these deaths more quickly.

⁴⁴ This is also established in the *Guide to Good Practice for forensic medical action in situations of death in custody*, published by the Ministry of Justice in 2015, which expressly states that "this investigation must be governed by the principles of promptness, effectiveness and thoroughness, independence and impartiality, and transparency."

The Secretariat General of Penitentiary Institutions accepted another NPM Recommendation on the need to issue a specific protocol regulating a homogeneous procedure in the event of death and, to this end, approved the update of the Guide to Good Practice in the investigation of deaths in prison, which contains guidelines on deaths in non-prison hospitals due to natural causes, intoxication, violent causes and suicide. The guide also contains a prior report template, a specific suicide-prevention procedure and a template for requesting judicial information in relation to the death of an inmate. The mechanism views the approval and dissemination of this guide positively and will monitor its implementation in future visits.

However, the prison authority still does not accept the repeated Recommendation, whereby the NPM urges the inspection service to obtain the image-extraction register at set intervals, to ensure that penitentiary centres comply with their duty to record, extract, and proactively submit images relating to certain incidents, especially those involving allegations of ill-treatment or deaths.

As part of the case file opened to obtain information from the various prison authorities, the NPM made a Recommendation to the Secretariat General of Penitentiary Institutions regarding the need to extend investigations into deaths occurring during conditional release. In this regard, it should be recalled that persons on conditional release remain under the authority of that Administration, which therefore continues to have an obligation to collect and analyse the information needed to understand the scale and characteristics of what occurred in each case, to facilitate the adoption of specific preventive measures in this area.

Preventive measures

Healthcare is of essential importance in preventing deaths in contexts of deprivation of liberty, particularly where risk factors are present, such as serious chronic illness or advanced age. However, this preventive function is affected by the structural and persistent shortage of healthcare staff in penitentiary centres.

There are also other factors closely linked to deaths in prison, particularly rising suicide rates and violence in penitentiary centres, as well as insufficient provision of healthcare, including mental healthcare, all of which contribute to higher mortality among persons deprived of liberty.⁴⁵

Implementation of the Recommendation made by the NPM to the Secretariat General of Penitentiary Institutions in 2022 on the need to review Instruction 4/2015, which

⁴⁵ Penal Reform International takes this view in its report [Global Prison Trends 2025](#).

establishes the current PPS, is still pending, to adapt it to the latest World Health Organisation (WHO) recommendations.⁴⁶

The Recommendation made by the NPM to the Secretariat General of Penitentiary Institutions that penitentiary centre medical services keep a register of persons who, because of age or illness, may require, in the short or medium term, the application of release mechanisms on humanitarian grounds has also not been accepted. Such a register would help prevent deterioration in inmates' health and, potentially, reduce the death rate in prison.

Nor has another NPM Recommendation been accepted by the Secretariat General of Penitentiary Institutions: that psychotropic medication be administered by directly observed treatment in risk cases within suicide- or overdose-prevention programmes. The reason given was the measure's limited effectiveness in reducing mortality and its negative impact on rehabilitation. The NPM insists on this Recommendation, since the autonomous prison authorities have established as a general policy that this type of medication be distributed by directly observed treatment, which has brought notable benefits in reducing overdoses.⁴⁷

3.4.3 National Preventive Mechanism (NPM) action in police custody

In accordance with the 2024 report, as a continuation of the project on deaths in prisons and in view of the Concluding observations on the seventh periodic report of Spain of the Committee against Torture under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ([CAT/C/ESP/CO/7](#)), repeatedly referred to in this report, in 2024 the NPM extended this initiative to police holding cells and to the action protocols of the various police forces in relation to the Minnesota Protocol.

The objectives of this protocol are to protect the right to life and promote justice, accountability and the right to reparation by promoting effective investigation of every potentially unlawful death. The NPM consulted various administrations responsible for the custody of detainees to determine whether they had a protocol for investigating such deaths.

⁴⁶ This refers to the WHO guide developed to support countries in implementing effective, evidence-based suicide-prevention interventions through the multisectoral "Live Life" approach, which focuses on limiting access to lethal means, promoting responsible communication, strengthening psychosocial skills and improving early detection and follow-up of persons at risk. See, *Live Life. An implementation guide for suicide prevention in countries* (2021) <https://iris.paho.org/server/api/core/bitstreams/80c6c3eb-771a-4ee9-93e6-37f8b71be473/content>

⁴⁷ This is reflected in the Order of the Justice Directorate of the Department of Justice and Human Rights of the Basque Autonomous Community of 5 March 2025, approving the procedures or action protocols for prison administrative management in relation to medical care for inmates in penitentiary centres in Euskadi.

Some administrations that reported deaths occurring within their custody have a protocol, including the Mossos d'Esquadra and the Policia Local de Terrassa, among others. For its part, the Secretariat of State for Security referred to Instruction 1/2022, creating the National Office for the Guarantee of Human Rights, "for the purpose of establishing a monitoring, coordination and evaluation mechanism that helps to make visible and promote the commitment of the State law enforcement bodies to respect for human rights, and to regulate the criteria and procedure for collecting and recording the necessary data on events and actions that may reveal violations of fundamental rights in the context of police action."

The Policia Foral de Navarra, for its part, reported that it had no specific protocol for deaths in custody and did not consider it necessary to establish one. The Ertzaintza likewise reported that it had not drawn up any protocol in this regard.

The NPM will continue to monitor this matter to ensure that the various administrations responsible for the custody of detained persons have a specific protocol in the terms indicated, particularly those reporting deaths in custody.

References

INVESTIGATION OF ALLEGATIONS OF TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT

Situations of risk identified by the National Preventive Mechanism (NPM) in the recording and investigation of allegations of ill-treatment in administrative settings

The Defensor del Pueblo, in its capacity as National Preventive Mechanism (NPM), takes a particular interest in complaints, records and investigations of cases of torture and ill-treatment. Although progress is being made in this regard, the reality is that during visits to places of deprivation of liberty, the NPM observes that the responsible administrations do not record all allegations of ill-treatment made by persons under their custody or, even where such allegations are recorded, there is still no proactive approach to obtaining essential evidence to document them. These shortcomings hinder or obstruct judicial investigation.

In this regard, it should be noted that the Committee against Torture under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in its Concluding observations on the seventh periodic report of Spain ([CAT/C/ESP/CO/7](#)), expresses concern that a significant number of criminal cases relating to complaints of alleged excesses in the actions of State law enforcement bodies end with the discontinuance or closure of the case and the acquittal of those investigated. It also considers that existing internal investigation bodies lack the necessary independence, as they are part of the same structure as the alleged perpetrators of such offences.

Likewise, as reflected in previous annual reports, the NPM carries out special monitoring of the use and regulation of mechanical restraints in places of deprivation of liberty, having identified them as a high-risk situation for violations of the rights of inmates, alongside other issues such as the recording of complaints of ill-treatment, video surveillance systems, coercive measures, regime restrictions, full-body strip searches and healthcare.

Classification and investigation of the crime of torture in Spain

Regulatory legislative framework

In Spain, the offence of torture is regulated in Title VII of Book II of the Código Penal [Criminal Code], under the heading “Torture and other offences against moral integrity” (Articles 173 to 177). It is for the Defensor del Pueblo, in its capacity as NPM, to conduct preventive visits to places of deprivation of liberty to detect risk situations, in accordance with the criteria set by Spanish legislation and internationally accepted standards for such

establishments. It is therefore important to monitor convictions of custodial staff, particularly in relation to offences of torture and ill-treatment. In this regard, the specific offences provided for in the Código Penal—that is, those in which the perpetrator is specifically defined—are those set out in Articles 174, 175 and 176 of the Código Penal.

The Supreme Court considers that the difference between the offence of torture under Article 174 of the Código Penal and the residual offence of attack on moral integrity committed with abuse of office by an authority or public official under Article 175 lies in the absence, in Article 175, of the teleological element. By contrast, Article 174 requires the conduct to be carried out “for the purpose of obtaining a confession or information from any person, or of punishing them for an act they have committed or are suspected of having committed, or for any reason based on discrimination of any kind.” Both provisions punish serious and less serious attacks on victims' dignity, as stated in legal ground 4 of Judgment 861/2022 of the Criminal Division of the Supreme Court, dated 3 November 2022.

As legal commentators have noted, this system of classification means that the concept of torture in the Código Penal is broader, as regards the nature of the act committed, than that established in Article 1 of the Convention against Torture of 10 December 1984, since it does not require seriousness, unlike that provision.

Nevertheless, the Committee against Torture, in its 2023 report, reiterated its Recommendations on the need to review and amend the Spanish legislative framework to ensure that all forms of torture are prohibited, since it considers that the current regulation is not aligned with Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Documentation and publicity of judicial investigations into alleged ill-treatment in deprivation of liberty

Since 2022, the NPM has been requesting information from the administrative records of the Public Prosecutor's Office and the Secretariat of State for Justice regarding judicial investigations into alleged ill-treatment by persons performing duties in contexts of deprivation of liberty.

The NPM is interested in knowing whether the perpetrator was an authority or official, whether they exercised public functions or acted with the consent or acquiescence of such persons, whether they were convicted or acquitted and, where applicable, whether the aggravating circumstance under Article 22 of the Código Penal was applied in the sentence or whether they were subsequently pardoned. It is also of interest to know data such as the victim's sex, age, nationality, or other details, as well as rulings on compensation for victims. This information is necessary to comply with Spain's international commitments, without prejudice to its significance in the judicial sphere.

In 2025, the Public Prosecutor's Office provided data corresponding to 38 of the 59 territorial prosecutor's offices —64%— due to difficulties in obtaining the requested data within a reasonable period. The Public Prosecutor's Office stated that, between 1 September 2024 and 31 August 2025, a total of four persons were convicted of an offence of ill-treatment under Article 173 of the Código Penal; four persons of an offence of torture under Article 174; five persons of an offence against moral integrity under Article 175; four persons of offences of injury under Article 147; and one person of offences against privacy, image rights or disclosure of secrets under Article 198.

In the case of the Secretariat of State for Justice, the information submitted did not meet the requested parameters, as its database records offences as defined in the Código Penal. The information contained in the System of Administrative Records supporting the Administration of Justice (SIRAJ) does not include data on the status of an authority or public official for certain generic offences that are not specifically defined in the Código Penal. It is also essential for the NPM to know how many complaints of torture and ill-treatment have ended in a judicial decision of discontinuance or acquittal. However, that register system does not record this data beyond acquittals in which a security measure was imposed.

According to the data submitted by the Secretariat of State for Justice, between 1 September 2024 and 31 August 2025, three persons were convicted of an offence of torture under Article 174 of the Código Penal, as well as offences of injury under Article 147, while another nine persons were convicted of an offence against moral integrity under Article 175. The database of this register system shows that no person was convicted of the offence of failing to prevent torture or attacks against moral integrity under Article 176. It also shows that one person was convicted of unlawful detention under Article 167.1, and 11 persons were convicted of offences against privacy, image rights and disclosure of secrets under Article 198.

To obtain more accurate information on the available data and potential improvements in recording convictions of persons performing custody-related or deprivation-of-liberty functions, the NPM addressed the General Council of the Judiciary. The report submitted by that body analysed the data available in the System of Administrative Records supporting the Administration of Justice (SIRAJ), the National Judicial Statistics Commission and the Judicial Documentation Centre, confirming the material and legal impossibility of obtaining the data requested by this institution. Based on this report, the NPM considered that the most appropriate solution for improving the data would be to include a specific section on proceedings relating to torture and ill-treatment in the quarterly statistical forms of criminal courts and tribunals. A Recommendation was made to the National Judicial Statistics Commission in this regard, although no relevant progress had been made by the time this report was closed.

The purpose of that Recommendation was that, in accordance with the powers assigned to that national commission, consideration be given to introducing improvements in the collection of statistical data on offences of torture and other cruel, inhuman or degrading treatment or punishment. The NPM considers it necessary to have complete information with high-quality and permanently updated data, for the Administration of Justice to improve the recording of information on proceedings relating to torture and ill-treatment.

ACTIVITIES OF THE NATIONAL PREVENTIVE MECHANISM IN THE AREAS OF TRAINING, COOPERATION AND OUTREACH

1	Online attendance at the seminar organised by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), “55th session. General Comment on article 4 of the Optional Protocol (places of deprivation of liberty)”, aimed at sharing good practice with NPMs from other countries	January
2	Attendance at the convention “Tackling overcrowding in European prisons: strengthening NPMs’ role in safeguarding rights and ensuring effective oversight”, in Strasbourg, organised by the Council of Europe	February
3	Attendance at the convention “ODIHR training course Human Rights at International Borders: Exploring New Technologies, Their Risks, and Opportunities”, in Warsaw, organised by the Office for Democratic Institutions and Human Rights	March
4	Submission of information to the European Union Agency for Fundamental Rights (FRA) for the “Overview on effective forced return monitoring in the EU-2024”	
5	Initial training for officials on the selective training course for the Penitentiary Institutions Assistant Corps, delivered in Cuenca, 1st session	April
6	Meeting at the Defensor del Pueblo’s headquarters with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)	
7	Online attendance at the fourth session of the Global Alliance of National Human Rights Institutions (GANHRI) on strengthening strategic alliances between national human rights institutions (NHRIs) and United Nations bodies	May
8	Meeting with the Council of Europe’s Committee for the Prevention of Torture (CPT) for the presentation of the general conclusions and preliminary observations from its 2025 visit to Spain	

9	Meeting with representatives of the Directorate General for the Rights of Children and Adolescents, at the Defensor del Pueblo's headquarters	June
10	Online attendance at the annual convention of European NPMs in Strasbourg, "Support to Council of Europe for EU network of prison monitoring bodies"	
11	Online meeting with Irídia (Centre for the Defence of Human Rights) for the presentation of its annual report on institutional violence	
12	Initial training for officials on the selective training course for the Penitentiary Institutions Assistant Corps, delivered in Cuenca, 2nd session	
13	Online meeting with the Department of Political Science of the University of Bari (Italy) on the strategic role of monitoring in ensuring legality, transparency and the protection of fundamental rights during forced return operations, 1st session	
14	Working visit by the Georgian NPM to the Defensor del Pueblo's headquarters	July
15	Meeting with the Director-General of the Police at the headquarters of the General Police Directorate	
16	Meeting with the Mental Health Commissioner at the Ministry of Health	
17	Participation in the survey "LGBTIQ+ persons deprived of liberty", organised by the Association for the Prevention of Torture (APT)	August
18	Online meeting with the Rapporteur for Spain of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), to discuss matters of common interest with Spain's NPM	September
19	Attendance at the awards ceremony of the General Commissariat for Immigration and Borders, organised by the General Police Directorate	October
20	Online meeting with the Department of Political Science of the University of Bari (Italy) on the strategic role of monitoring in ensuring legality, transparency and the protection of fundamental rights during forced return operations, 2nd session	
21	Participation in the event organised by the Network of Social Organisations in the Prison Environment (ROSEP), in Valencia, "Challenges facing the current prison system: mental health, prison models and alternative measures"	

22	Training for students participating in the Master's in Human Rights at the University of Alcalá (Madrid)	November
23	Attendance at the presentation event for the IKERBURN Study, "From vocation to burnout", organised by the National Section of Young Doctors of the Spanish General Medical Council	
24	Collaboration with staff from the Institute of Legal Research of the National Autonomous University of Mexico (UNAM) on state strategies for addressing the recommendations issued to Spain by the United Nations Committee against Torture (CAT)	
25	Online attendance at the seminar "Effective NPMs: Strengthening Skills, Teamwork and Strategy", organised by the Council of Europe	
26	Collaboration in multidisciplinary training on the protection and rehabilitation of victims of torture in the field of asylum, migration and criminal justice, organised by UNHCR and the Hungarian Helsinki Committee	December

FULL TABLE OF CONTENTS

Introduction	5
1 General data on visits and interventions	9
Data collection (9) — Visits and interventions in places of deprivation of liberty (10) — Staff working in places of deprivation of liberty (18)	
2 Visits. Finding and proposals	20
2.1 Centros de internamiento de menores infractores (CIMI) [Detention for juvenile offenders] (20)	
2.1.1 National Preventive Mechanism (NPM) Actions (20): Visits (20) — Information gathering (20)	
2.1.2 Oversight areas. Challenges and progress (22): Admission, statistics and variables (22) — Health aspects (23) — Mental health care of minors (25) — Prevention of high-risk situations (27) — Exercise of rights and guarantees (31)	
2.2 Penitentiary centres and hospital custody units (31)	
2.2.1 National Preventive Mechanism (NPM) actions in penitentiary centres (31)	
2.2.2 Supervisory areas in penitentiary centres. Challenges and progress (32): Facilities and video surveillance (32) — Personnel (33) — Registration and communication systems (34); Register and protocols on coercitive measures (35) — Special focus on documentation and procedures in cases of allegations, complaints and reports of alleged ill- treatment (36); Injury reports (37) — Regime restrictions and coercive measures (40) — Exercise of fundamental rights for the reintegration of inmates (41); The right to communicate (41); The right to remain close to the family and social environment and conditional release (42); Judicial oversight of administrative decisions (43)	
2.2.3 Hospital custody units (43): Facilities and procedures (44) — Video surveillance (44) — Mechanical restraints (45) — Profile of persons admitted to hospital custody units (45) — Documentation and practice of custody in hospital custody units (HCU) (46) — Healthcare for persons deprived of liberty without admission to a hospital custody units (HCU) (47)	
2.3 Places and detention facilities for foreign nationals (48)	
2.3.1 Holding rooms for inadmissible persons and applicants for international protection at international airports (48): Maintenance of bathrooms, furniture and sleeping facilities (48); Access to personal mobile devices and Wi-Fi (49); Public telephone terminals (49); Isolation room protocol (49)	

- 2.3.2 Centros de atención temporal a extranjeros (CATE) [Short-term holding centres for foreign nationals] (49):** Access to outdoor areas and movement (50) — Furniture and sleeping facilities in good condition (50) — Availability of personal mobile phones (50) — Complaints and suggestions protocol (51)
 - 2.3.3 Centros de internamiento de extranjeros (CIE) [Detention centres for foreigners] (51)**
 - 2.3.4 Forced return by air (52):** Video surveillance (52) — Bathrooms for women (52) — Complaints and suggestions book (52) — Incident register (53) — Chain of custody (53) — Healthcare provision (54) — Immobilising coercive measures (55) — Body pat-down searches (55) — Food (55) — Interpreter (56)
 - 2.4 Police station and court holding cells (56)**
 - 2.4.1 National Preventive Mechanism (NPM) actions (56)**
 - 2.4.2 Publication of Instruction 10/2025, of the Secretaría de Estado de Seguridad [Secretariat of State for Security], updating the “Comprehensive Police Detention Procedure” (57)**
 - 2.4.3 Visits to places of deprivation of liberty in the Autonomous Community of Valencia in areas affected by the DANA (low-pressure system) (58)**
 - 2.4.4 Oversight areas. Challenges and progress (59):** Police facilities and vehicles used for the transport of detainees (59) — Human and material resources (61) — Dignity of persons deprived of liberty (61) — Safeguard systems (62) — Detention of minors (64) — Transfers of persons deprived of liberty (64) — Healthcare and injury reports (65) — Video surveillance, audio surveillance and recording (65) — Self-harm and suicidal behaviour prevention protocols (66) — Training (67)
- 3 Cross-cutting programmes 68**
- 3.1 Programme for the prevention of gender discrimination in deprivation of liberty facilities (68)**
 - 3.1.1 Prevention of discrimination (69):** Rendering girls, women and LGBTI persons invisible: absence of sex-disaggregated data and other variables (69) — Sex-disaggregated data and LGBTI persons (69) — Disability variable (71) — Roma ethnicity variable (72) — Spaces (73)
 - 3.1.2 Sexual violence, gender-based violence and community resources (75):** Sexual violence prevention protocols (75) — Gender-based violence (77)
 - 3.1.3 Menstrual health, maternity and breastfeeding (78)**
 - 3.1.4 Suicide Prevention Protocols and Self-Harm Prevention Protocols (80)**
 - 3.1.5 Risk of ill-treatment (82):** LGBTI minors in residential juvenile centres (82) — Restraint and isolation (82) — Body pat-down searches (83)

3.2 Mental health programme (83)	
3.2.1 Mental health programme in psychiatric centres (83): Programme objectives (83)	
3.2.2 Outcomes achieved and evaluation of findings (84): Identification and prevention of situations constituting ill-treatment in the field of mental health (84) — Safeguard system in the context of hospitalisation: voluntary admissions (87) — Mechanical and pharmacological restraints and their eradication (88)	
3.2.3 Mental health programme in prisons (91): Penitentiary centres (91)	
3.3 Programme on intellectual disability in deprivation of liberty facilities (94)	
3.3.1 Measures to prevent discriminatory situations (96): Recording intellectual disability, incorporating variables into statistical data and information on admission (96) — Lack of training on the rights of persons with disabilities (97) — Spaces (99) — Situations of isolation, restraints and searches (100)	
3.3.2 Healthcare (100): Suicide prevention protocol and self-harm protocol (100) — Addiction treatment (101)	
3.3.3 Prevention of ill-treatment risk (101)	
3.4 Programme on deaths in custody (101)	
3.4.1 National Preventive Mechanism (NPM) actions in penitentiary centres (101)	
3.4.2 Challenges and progress (102): Recording deaths of inmates in penitentiary centres (102) — Investigation of deaths (103) — Preventive measures (104)	
3.4.3 National Preventive Mechanism (NPM) action in police custody (105)	
Reference	107
Investigation of allegations of torture and other cruel, inhuman or degrading treatment.....	109
Activities of the National Preventive Mechanism in the areas of training, cooperation and outreach	113

**Supervision of Spain's deprivation of liberty facilities in compliance
with the Optional Protocol to the United Nations Convention against
Torture and other Cruel, Inhuman or Degrading Treatment or
Punishment (OPCAT)**

