**مرفق (1)**

نبيل رجب

On 1 July 2018 a number of concerns were lodged at the Ombudsman Office on behalf of Mr. Nabeel Rajab. The concerns were raised by Mr. Rajab’s son and related to:

* The adequacy of Mr. Rajab’s medical care
* Mr. Rajab’s access to reading material and the removal of material
* Arrangements for ensuring personal and cell hygiene
* Mr. Rajab being forced to eat whilst sitting on the floor
* A request for a visit to Mr. Rajab’s uncle (also an inmate in Jau Rehabilitation Centre)
* A request for Mr. Rajab to continue his studies
* Mr. Rajab’s categorization for accommodation
* It was also alleged that Mr. Rajab is being locked in his cell for 23 hours a day.

The Ombudsman Office would like to share the following information about the Ombudsman investigation of these concerns and the investigation findings.

1. Following the receipt of the concerns raised by Mr. Rajab’s son, an Ombudsman investigator met with Mr. Nabeel Rajab. An investigator had previously met with Mr. Rajab on 24 June 2018 in connection with another complaint. In line with normal practice, the investigator met with Mr. Rajab at the Ombudsman independent office located at Jau Rehabilitation Centre on 16 July 2018 (from 1:21 pm until 3:06 pm) to ensure that he was afforded privacy away from staff members. Prior to the meeting, the Ombudsman’s investigator viewed CCTV footage that covers the area of Mr. Rajab’s cell, building, kitchen, and hall.

Also in line with Ombudsman Office practice, the interview with Mr. Rajab was recorded and the video footage was reviewed. At interview, Mr. Rajab appeared to be well and relaxed. He engaged cooperatively with the investigator.

1. It had been alleged that Mr. Rajab’s personal reading material had been taken from him and he told the investigator that four of his personal journals had been confiscated during a cell search. He said that three of these journals were returned three days later. He said also that he does receive and read three local newspapers. The reviewed CCTV footage evidenced this.
2. Ombudsman investigators obtained and watched CCTV of the search of the building where Mr. Rajab’s accommodation is located and also interviewed prison staff. It was found to be the case that the journals of all inmates are confiscated and examined by the prison authorities as part of regular routine search procedures. In the case of Mr. Rajab, one of his journals was retained because it included material not permitted under prison rules.
3. The concerns about the confiscated journals had first been received by the Ombudsman in the earlier complaint registered on behalf of Mr. Rajab on 20 June 2018. Investigators found that the three returned journals were given back to Mr. Rajab before this date.
4. Mr. Rajab told the Ombudsman investigator that the staff who conducted the search had told him and other inmates what items they were permitted to have in cell and had then confiscated a number of personal hygiene items, clothing items and pens that exceeded the permitted allowance. The investigator checked this and was able to confirm that only items that exceeded the permitted allowance for each inmate, based on the Rehabilitation Centre Policy, had been confiscated.
5. A concern had also been raised about Mr. Rajab’s access to general reading material. It was established, that Mr. Rajab and other inmates are permitted to have books in their cell and this was evidenced by the review of the CCTV of the cell search which showed Mr. Rajab carrying books out from his cell, when he was asked to remove his possessions during the search process.
6. It had also been alleged that Mr. Rajab is not living in accommodation suitable for his prisoner category; is being locked in his cell for 23 hours a day and is forced to eat sitting on the floor. As stated above, Ombudsman investigators requested and examined CCTV footage of Mr. Rajab’s wing, before speaking with him. The CCTV footage covered different dates over a period of months and different times of day.

The allegation that Mr. Rajab was locked in his cell for 23 hours a day was then discussed with him. It was found that:

* 1. Mr. Rajab lives on a wing reserved for a small number of inmates with various crime classifications. When the investigator asked Mr. Rajab about the inmates with him he said that he has no issue about the people who share his accommodation.
  2. The door to the cell in which Mr. Rajab and his cellmates stay is open for most of the day and the inmates have access to a kitchen and a main hall. A bathroom facility is located within the cell itself an can be used at any time during the day or night.
  3. Mr. Rajab has access to a television in the main hall of his wing. Mr. Rajab told the Ombudsman investigator that he is allowed to watch TV for one hour in the morning and one hour in the evening. CCTV footage showed that Mr. Rajab accessing the main hall and spending most of his day watching TV.
  4. Mr. Rajab’s wing includes an outside yard. Mr. Rajab said that he is allowed to go to the yard for up to two hours a day, in line with prison rules. Mr. Rajab does use the yard to smoke, but said that he is not willing to exercise in the yard in hot weather. Mr. Rajab could be seen on CCTV performing push-ups indoors, as an alternative to using the yard for exercise at hot times.
  5. It was alleged that Mr. Rajab was forced to eat while sitting on the floor. Mr. Rajab stated that he has the option to choose where to eat and that he is allowed to eat whilst sitting at the table in the wing hall at permitted times. CCTV recordings show Mr. Rajab using the wing kitchen to prepare food, and eating whilst sitting on his bed. A chair is also available beside the bed. Mr. Rajab was never seen sitting on the floor whilst eating.

1. Concerns had been raised regarding the adequacy of arrangements to ensure acceptable cell and personal hygiene. Mr. Rajab said that he has no issue regarding arrangements for washing his clothes and that all of the inmates are responsible for cleaning the building and its facilities, including their own cells.
2. Mr. Rajab was asked about his health and he said that he suffers from a number of medical issues. Investigators obtained and reviewed his medical records and found that:
   1. Mr. Rajab has access to the Rehabilitation Centre clinic. The investigator found that Mr. Rajab had visited the centre clinic 19 times since the beginning of 2018 and has been prescribed medication.
   2. Mr. Rajab has attended three appointments with consultants at external hospitals.
   3. Special meals, suitable for his medical needs, are served daily to Mr. Rajab.
3. A concern was expressed that Mr. Rajab had been unable to visit his uncle (also an inmate in Jau). The Ombudsman investigator established, and Mr. Rajab confirmed, that he has never submitted an internal request for such a visit. He was advised by Ombudsman investigator that he should do so. The investigator also reviewed Mr. Rajab’s visits Log and was able to confirm that he is receiving his visits regular in accordance with the Rehabilitation Centre regulations and policies.
4. Mr. Rajab said that he wished to continue his studies. He told the Ombudsman investigator that he had submitted an Oral request in connection with this, ten months earlier, but did not receive any feedback. The investigator checked with the Rehabilitation Centre who stated that no written request had been received. The investigator, therefore, encouraged Mr. Rajab to submit a written request.

The investigator then handed Mr. Rajab his statement in order for him to read it. Mr. Rajab and as shown on CCTV recording read and amended his statement before ending the investigation.

Based on the above finding. The Ombudsman Office completed its investigation and, the examination of evidences raised no issues of concerns. The investigation into Mr. Rajab was closed.

The Ombudsman Office works hard to do justice, on a fair, just and equitable basis, to every complaint brought to it and we hope that this information is helpful.

If you have any further concerns, the Ombudsman Office will, as always, do its best to assist.

**مرفق (2)**

1) عبد الهادي الخواجة: Abdulhadi Al-Khawaja

On 28 January 2020, an ombudsman investigator went to meet Mr. Al-Khawaja at the Ombudsman independent office located at Jau Reform and Rehabilitation Centre, to take his statement about the allegations raised by EEAS on his behalf.

Mr. Al-Khawaja was afforded privacy and adequate time to ask and answer questions, review his statement away from staff members.

In his statement, Mr. Al-Khawaja stated that he is having his medical care however, there are some delays to have medical appointments, he also added that he has some concerns related to his health issues as he requested to be seen by an Oral and Dental Surgeon.

The Ombudsman Office contacted the Centre’s administration to arrange for an appointment with the Surgeon.

Moreover, the ombudsman investigator requested and examined all the medical reports and records, which showed the following:

• Mr. Al-Khawaja attended the medical clinic at Jau Reform and Rehabilitation Center on 15 January 2020, for general medical checkup based on the Ombudsman request.

• Mr. Al-Khawaja is 58 years old and is subject to continuous follow-up on his health condition.

• Mr. Al-Khawaja was given (9) medical appointments at BDF hospital in 2018.

• Mr. Al-Khawaja had (32) medical appointments at the MOI clinic.

• 21 October 2019, was his last appointment with the dentist at BDF Hospital.

At the end of the interview, Mr. Al-Khawaja read his statement, however he refused to sign.

As there was no misconduct conducted by any MOI personnel and the inmate is having his rights related to access to health care, the Ombudsman Office closed all the above case

2) عبد الجليل السنكيس

Dr. Abduljalil Al-Singace.

The Ombudsman Office commenced an investigation into allegations raised by (EEAS) on behalf of Dr. Abduljalil Al-Singace.

In this occasion, The Ombudsman Office would demonstrate that it has not received any complaints from Dr. Al singace regarding his denial of health care. On the contrary, whenever the Ombudsman Office attempted to interview him, he refused to deal with the Office.

On 13 January 2020, the Ombudsman investigator went to interview Dr. Abduljalil Al-Singace at the Ombudsman independent office at Jau Reform and Rehabilitation Center, however he refused to meet the ombudsman investigator who went to the wing where Dr. Al Singace is staying as an attempt to talk to him but Dr. Al Singace insisted not to deal with the office.

Despite that refusal, the Ombudsman Office decided to continue its investigations into all the mentioned allegations as it has requested and reviewed Dr. Al Singace’s medical records, which showed his health condition, as well as the prescribed medications to him and the treatment he receives, which confirmed the following:

• Dr. Al Singace refused to attend the medical clinic at Jau Reform and Rehabilitation Center on 7 January 2020, for general medical checkup.

• Dr. Al Singace is 57 years old and suffering from a number of chronic disease\*. Records showed that he is subject to continuous follow-up on his health condition at the medical clinic in the Reform and Rehabilitation Center for (42) times and he refused to attend (23) times within 2018, where the first visit was on 22 January 2018 and the last was on 25 November 2018.

• Dr. Al Singace attended (33) medical follow up appointments within 2019, where the first visit was on 21 January 2019 and the last was on 22 September 2019. and refused to attend (10) times during the same year.

• Dr. Al Singace’s health condition is also followed up by the General Security Medical Clinic and at the specialized clinics in external Hospitals where 256 medical appointments were scheduled for him as he refused to attend 32 of them during 2019.

\* The Ombudsman Office obtained a record of the details of each disease that Dr. Al Singace is suffering from, however and in compliance with the principle of the privacy, the Ombudsman Office disclosed general information only in order to ensure the inmate’s privacy

The Ombudsman Office asked the Reform and Rehabilitation Center’s administration regarding the reason of which Dr. Al Singace did not attend his referred medical appointment at an external hospital. In response, the Center’s administration stated that Dr. Al Singace refused to attend in protest to being handcuffed while he was transferred out of the Center, which is the usual procedure followed with all inmates. In addition, the Center’s administration added that Dr. Al Singace 's position is against the policy and regulations of the Reform and Rehabilitation Center which stipulates that all inmates are handcuffed before they are allowed to transfer from one building to another within the Center except in cases of emergency or urgent situations.

As there was no misconduct conducted by any MOI personnel and the inmate is having his rights related to access to health care, the Ombudsman Office closed all the above cases.

3) ناجي فتيل:

The Ombudsman Office commenced an investigation into the raised allegations by EEAS on behalf of Mr. Naji Fateel.

In line with its normal practice, the investigator met with Mr. Naji Fateel at the Ombudsman independent office located at Jau Rehabilitation Centre on 13 January 2020 to ensure that he was afforded privacy and away from the prison staff.

At the interview, Mr. Naji Fateel raised concerns about his access to the medical care, as he suffers from a number of health issues. He added that only medicines were prescribed and he attended only two medical appointments in December 2019 and January 2020.

Investigators obtained and reviewed his medical records and found that:

• Mr. Naji Fateel has access to the Rehabilitation Centre clinic.

• The investigator found that Mr. Naji Fateel had visited the centre clinic (21) times in 2018, 15 times in 2019 and still has future appointments in external clinics with different specialists.

• It was also found that Mr. Naji Fateel had laboratory tests and x- rays then was seen by Orthopedic and Fracture in December 2019.

As there was no misconduct conducted by any MOI personnel and the inmate is having his rights related to access to health care, the Ombudsman Office closed all the above cases

**مرفق (3)**

احداث سجن جو مارس 2015

The Statement of the Ombudsman Office about Jau Prison Incidents in March 2015

The Independent Ombudsman has engaged with the events that occurred in Jau Prison last week and has taken all necessary actions and within its mandate and authority.

The Independent Ombudsman's Office stated that it has received 105 requests for assistance from the families and relatives of Jau Prison inmates regarding their condition, and inquiring about visits and telephone calls at the facility.

A team of investigators was sent to Jau Prison to look into the concerns and requests raised by the families. The investigators met 124 inmates and interviewed them regarding the conditions of the facility and the services provided. 15 of the interviewed inmates filed a complaint to the investigators regarding different issues.

Investigations have been opened regarding these complaints in accordance with Ombudsman procedures and will keep complainants updated about the progress and outcome of these cases.

The Prison Administration has asserted the basic needs of the inmates at the facility are being met and have not been disrupted and that telephone and visitation services are ongoing in accordance the set schedule, rules, and regulations of the facility. The Prison Administration also added that working telephone cabins are currently overloaded due to the damage some of them received as a result of riotous activity last week. Consequently, a number of inmates have been disciplined administratively and have had their telephone or visitation privileges temporarily suspended.

The Ombudsman Office will inform families and relatives about the outcome of the interviews with the inmates at Jau Prison. He also affirmed that the Ombudsman welcomes any requests from any member of public on any issues relating to Ombudsman's mandate.