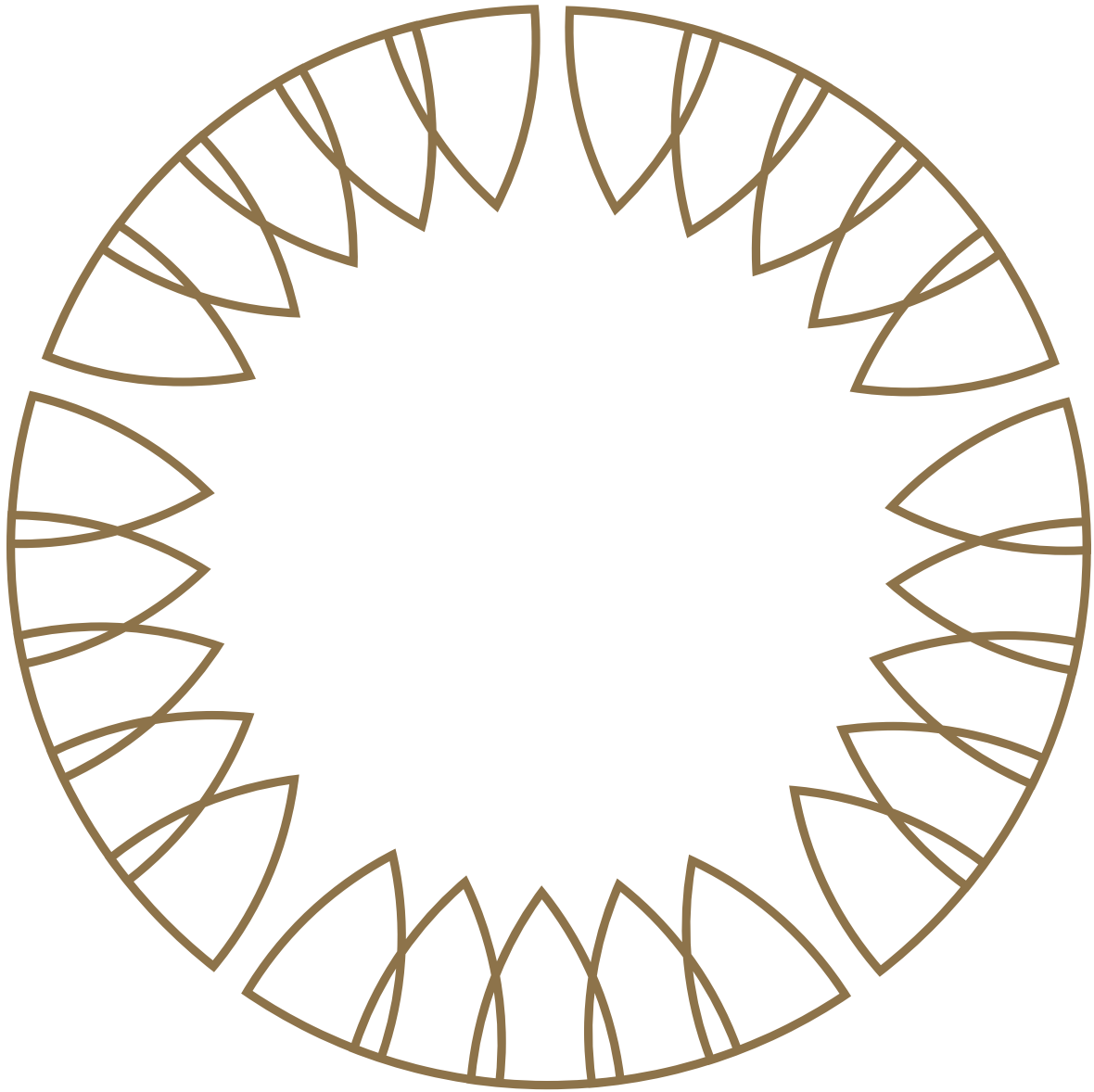
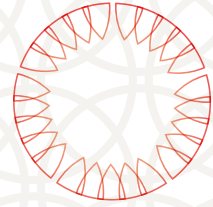




مملكة البحرين  
Kingdom of Bahrain

الأمانة العامة  
للتظلمات  
OMBUDSMAN

وزارة الداخلية  
Ministry of Interior



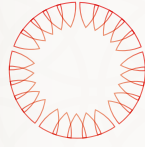
# Third Annual Report

## 2015 - 2016



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Foreword by  
▷ the Ombudsman

The Ombudsman Office was established by Royal Decree as a result of recommendation number 1717 and paragraph D 1722 of the Bahrain Independent Commission of Enquiry (BICCI) Report 2011. The Office is financially and administratively independent and has an important role to play in ensuring the delivery of fair and impartial policing services in Bahrain.

The Ombudsman Office has had a busy third year and I am pleased to report that progress has been made in a number of important work areas.

▷ Thought this year the high level of demand for our service has continued with 992 investigation requests received. This represents a further 9% increase on last year ◁

In 2014 / 2015 the Ombudsman reported receiving 908 investigation requests, a 375% increase on the previous year 2013 - 2014. This high level of demand for our service has continued throughout this year with 992 investigation requests received between 1 May 2015 and 30 April 2016. This represents a further 9% increase on last year. 365 of all complainants were women and 558 complainants were men. 269 of all complainants were aged 26 to 35.

Ombudsman investigators are highly effective at resolving the individual day to day complaints that are well over 90% of the Ombudsman business. Detention and Rehabilitation Centre healthcare is the service area most complained about with inmate and detainee access to visits and phone calls also raised often. Family contact is very important to those in detention and has been widely demonstrated to positively influence rehabilitation. Contact is also very important to the innocent adults and children who have a family member in prison and the Ombudsman Office works hard to address difficulties and concerns.

923 investigation requests were registered by individuals attending the Ombudsman Office. This represents 93% of the total received. Many of those attending raised concerns on behalf of other family members in police or prison custody. We have made strenuous efforts to ensure that our office is very accessible and almost every visitor to the Ombudsman Office meets with an investigator at the time of their first visit. We welcome the significant numbers choosing to come to our office to lodge their complaint in person.

A full analysis of complaints received and outcomes can be found in this report.

▷ The Ombudsman is encouraged by the fact that the numbers bringing complaints to our Office has increased every year. 15% of those requesting an investigation have complained to the Ombudsman Office at some time previously ◁

We are encouraged by the fact that the number bringing complaints to our Office has increased every year of our operation and encouraged also that the number of people satisfied with our service has resulted in complainants returning to the Office. 15% of those requesting an investigation in 2015 / 2016 have complained to the Ombudsman Office at some time previously. At the same time, we welcome and support the efforts now being made to implement the new Internal Complaints Process, required by the Rehabilitation and Detention Centre Regulations, in all places of detention and rehabilitation. It is important as we move forward for the detention and rehabilitation centres to take responsibility for resolving detainee concerns and for considering all requests for assistance. It is very much hoped that, in due course, this will lead to a reduction (for all the right reasons) in complaints to the Ombudsman. It will, however, be the case that complainants will always have the right to bring complaints to the Ombudsman if they are not satisfied that their concerns have been properly and adequately addressed. It will always be the case that allegations of torture, assault and any other degrading, inhumane or criminal act(s) should always be brought directly to the Ombudsman.

- ▷ We welcome and support the efforts being made to implement the new Internal Complaints Process ◁

Whilst serious incident allegations make up a small proportion of Ombudsman total complaints, the Ombudsman dedicates considerable resources to these important and often challenging investigations. Great efforts have been made this year to further develop serious incident investigative competence and several Ombudsman investigations have informed the work of the Special Investigation Unit (SIU) or Security Courts, when referred for criminal investigation. A number of examples of investigations where the Ombudsman has secured and examined critical CCTV evidence are included in this report, which details Ombudsman case studies. In one of these instances, the Ombudsman called in SIU investigators to examine the evidence secured within hours of receiving the serious incident complaint.

It is, once again, important for me to state that, in other instances, CCTV has clearly demonstrated allegations of staff wrongdoing to be false. I have said repeatedly that police staff trying to do the right thing to the very best of their ability have nothing to fear from my Office. In this context, the value of CCTV in deterring those who might do wrong; catching those who are guilty of human rights abuses and protecting good staff, has now been firmly established by my Office. I therefore welcome the decision of the MOI to accept the recommendation of the Prisoner and Detainee Rights Committee (PDRC) that the detainee pathway from the time of arrest should, at all times, be covered by CCTV. The comprehensive location of CCTV throughout the new rehabilitation and detention centre buildings is

evidence of the real commitment and determination to fully implement this recommendation. I welcome the progress made and use the opportunity of my third Annual Report to make the case that a high priority should be given to completing the roll out of the required CCTV.

During the year, my Office has welcomed the opportunity to engage constructively with a number of non – governmental organisations (NGOs), mainly in connection with concerns about alleged serious incidents and human rights abuses. A new procedure has also been implemented to assist NGOs in registering investigation requests on behalf of individuals and to give Ombudsman investigators the best chance of securing relevant evidence to identify witnesses who would be willing to speak with Ombudsman investigators. The process also asks NGOs to provide complainant consent for the findings of investigations to be shared.

During the course of discussions with NGOs it has become apparent that there are, at times, misunderstandings about the respective roles of the Ombudsman and Special Investigation Unit (SIU) in investigating serious incident allegations. This being the case, I want to take this opportunity to briefly explain the investigative process followed by the Ombudsman.

Like the Ombudsman, the SIU was set up following the BICI Report of 2011. Recommendation 1716 along with Recommendation 8 (2012) provided for the SIU to be set up as an independent unit within the Public Prosecution Service. The SIU was tasked with carrying out criminal investigations into unlawful or negligent acts resulting in the deaths, torture and mistreatment of civilians. Specific responsibility was given for the investigation of the incidents that occurred during the period of unrest in Bahrain in February and March 2011 and the consequences of these events, in addition to any other case transferred to the SIU by the Attorney General.

All Ombudsman's and SIU investigative policies are developed and delivered in accordance with the Istanbul Protocol.

If a complaint alleging serious mistreatment is brought to the Ombudsman and is already under criminal investigation by the SIU, the Ombudsman cannot investigate the criminal aspects of the allegation whilst the criminal investigation is ongoing. To do so could prejudice the criminal investigation, which must always have primacy. The Ombudsman can, however, continue to investigate issues such as a failure to permit legal representation; failure to permit family contact or failure to update records or arrange required medical examinations that will not compromise the criminal investigation.

In the many instances where the Ombudsman Office is the first to receive a request for an investigation into one or more alleged serious incidents investigators will, as provided for by the Ombudsman Decree, commence an early investigation. In line with Ombudsman Office operational policies and staff training the complainant will be interviewed, a comprehensive evidence securing checklist will be activated and witnesses will be identified. It is the case that Ombudsman investigators have full authority to attend places of detention to gather evidence and carry out interviews and these visits are not pre-notified. The Ombudsman also has an office located at Jau Rehabilitation Centre, which is used by investigators on a regular basis.

As soon as evidence is seen which may suggest that there could be substance to an allegation(s), the case is referred to the SIU with all the related evidence. Even if evidence is not examined that could substantiate the allegation(s) made by the complainant, the case will, at an appropriate time, be referred to the SIU. The only exception to this is where the Ombudsman secures unequivocal, independent evidence that an alleged incident did not occur. Some serious allegations have not been referred for this reason.

▷ As a preventative measure, the Ombudsman has requested the suspension or transfer of MOI staff pending the outcome of the criminal investigation ◁

In a number of cases this year the Ombudsman has, at the time of referral, also requested the suspension or transfer of MOI staff as a preventative measure,



pending the outcome of the criminal investigation. The MOI has, in every case, taken the requested action.

It is important for me to state publically that every allegation of torture brought to the Ombudsman Office is investigated and that this always has and always will be the case. The process outlined above is followed in every case, without exception.

In cases where allegations are criminal but do not fall within the remit of the SIU, the Ombudsman will carry out an investigation and will then make a referral for criminal investigation or disciplinary action wherever the evidence gathered and examined requires this. It cannot be stated too strongly that the sooner a complaint is brought to the Ombudsman after an alleged incident, the greater is the opportunity to secure important evidence such as CCTV footage, before it can be lost. The Ombudsman has worked very hard to optimise the speed and effectiveness of the response to new serious incident complaints and the results progressively being delivered demonstrate the efficacy of this approach.

- ▷ Every allegation of torture brought to the Ombudsman Office is investigated. This always has and always will be the case ◁

It is to note that complaints relating to special forces officers engaged in policing public order have fallen from 14 in 2014 / 2015 to two this year. This reduction in complaints is welcome and the fact that there have been no civilian fatalities during riots this year is extremely welcome. It is a matter of deep sadness

and regret that four police officers lost their lives in the course of doing their duty and I extend my deepest sympathy to their families.

Another important area of investigation for which the Ombudsman is responsible is the investigation of deaths in or outside of detention, within the Ombudsman's mandate. This year, there have been a total of seven deaths, six in detention and one out of it, compared with a total of 11 deaths in the previous year. I would like to extend my sincere sympathies to the seven families who lost loved ones over the last year. The Ombudsman investigates all deaths in detention, including those from natural causes, because important lessons about future care arrangements can be learned. Whilst not wanting to intrude on family grief, I always welcome the chance to meet with the family of anyone who dies in detention to discuss any concerns and to share the findings of my investigation. Details of the death in detention investigations carried out this year can be found in this report.

Increasing competence in the investigation of deaths in detention is producing significant outputs, including some thematic recommendations reflecting the findings from all death investigations carried out by the Ombudsman. These relate to the supply and management of illicit substances; the care of vulnerable detainees and inmates and response arrangements following a healthcare or suicide emergency. It is hoped that they will be helpful in informing the efforts of those responsible for implementing the new Rehabilitation and Detention Centre Regulations.

Ombudsman recommendations have more generally continued to influence service improvement both at individual and organisational level. It is to note, for example, that the implementation of unique police vehicle identification numbers resulting from an Ombudsman 2014 recommendation has eliminated complaints from members of the public in connection with police vehicles. More recently, Ombudsman recommendations relating to the availability of education, training and other purposeful activity in places of detention and rehabilitation not only influenced the development of the Rehabilitation and Detention Centre Law and Regulations but have also informed specific initiatives on the ground. In this connection, special mention should be given to the programme of education and daily study classes being delivered in Jau Rehabilitation Centre by the Nasser Rehabilitation Centre.

▷ It is very much hoped that a high priority will be given to the continued implementation of the new prison building programme and the other important regime developments, many of which have resulted from Ombudsman recommendations ◁

In line with our commitment last year, the new Regulations are increasingly being used as the baseline for reporting Ombudsman investigation findings and making recommendations. We welcome the efforts being made to deliver the developments required by the Regulations and want to support these in every way that we can. It is very much hoped that a high priority will be given to the continued implementation of the new prison building programme and the other important regime, education and healthcare programmes required by the Regulations, many of which have resulted from Ombudsman recommendations.

Over the past three years, the number of organisations seeking information or requesting investigations from the Ombudsman International Cooperation and Development Directorate has steadily increased. We believe that this reflects a greater awareness of the Directorate and its functions. It is hoped that the

efforts of the Directorate to be helpful and responsive encourages those requiring assistance to use its services. The Office looks forward very much to building on existing local and international stakeholder relationships and to developing new opportunities for information sharing and mutual assistance, in the year ahead.

▷ In line with its commitment to transparency and engagement, the Ombudsman's Office has continued this year to place a high priority on local and international outreach activity ◁

In line with its commitment to transparency and engagement, the Ombudsman's Office has continued this year to place a high priority on local and international outreach activity. During the year, members of my team and I met with a great many international stakeholders, including individuals and delegations from the Kingdom of Saudi Arabia, the United Arab Emirates, Sweden, the European Union, the United Nations, the United Kingdom, the United States of America, the GEC, and the Commission of Human Rights at the Council of Representatives. Meetings also took place with local and international human rights organisations.

Information about Ombudsman outreach activity can be found in this report.

The Ombudsman Office has also played a proactive role in educating police officers about human rights requirements associated with the use of force. The Ombudsman is very keen to continue to contribute to the education of police officers wherever this can support the delivery of professional, human rights centered policing services.

Finally, I want to thank all the colleagues inside and outside of the Criminal Justice System and from other places who have cooperated with us and supported our efforts over the last year. These include: the Supreme Judicial Council; the Public Prosecutor's Office; the Special Investigation Unit; the Ministry of the Interior; the Ministry of Justice and Islamic Affairs the Ministry of Foreign Affairs, both houses of parliament, the Information Affairs Authority, the National Institution



for Human Rights, the Prisoner and Detainee Rights Commission, the National Health Regulatory Authority, the University of Bahrain, The University of Applied Sciences, the European Union Delegation in Riyadh, Her Majesty's Inspectorate of Prisons, Northern Ireland Cooperation Overseas, Embassies and Diplomatic Missions and other local and international organisations that are in contact with the Ombudsman Office.

The Ombudsman Office continues to work in a challenging local and international context and we are always willing to learn. But we are proud of what has been achieved over the last three years through sheer hard work and commitment to our belief that we can make a difference. It is a great privilege to work on such an important mission and my staff and I never forget this. I could not be more grateful for the efforts of my team to continuously do justice to their challenging workloads and I want to thank each and every one of them.

**Nawaf Mohamed Al Moawdah**  
Ombudsman



Section One

# **Ombudsman**

2014 - 2015 Statistics

### Total Number of Complaints Received by the Ombudsman Office

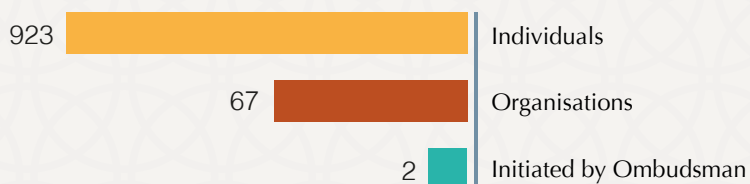


Complaint Category	Number
Assistance Requests *	687
Complaints **	305
<b>Total</b>	<b>992</b>

\* Assistance Requests: Examine issues, and provide information related to, operating arrangements in areas such as prison visits; phone calls; prison; detention center medical services; access to education. Relevant recommendations are made, wherever appropriate.

\*\* Complaints: Require investigation of the application of relevant laws and regulations

### Origin of Complaints



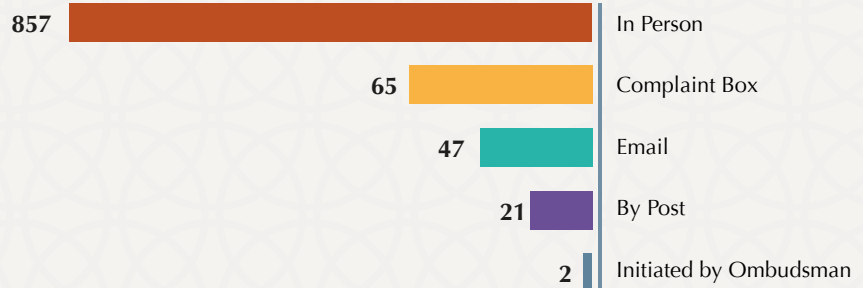
Origin	Number
Individuals	923
Organisations	67
Initiated by Ombudsman	2
<b>Total</b>	<b>992</b>

### Complainants According to Gender



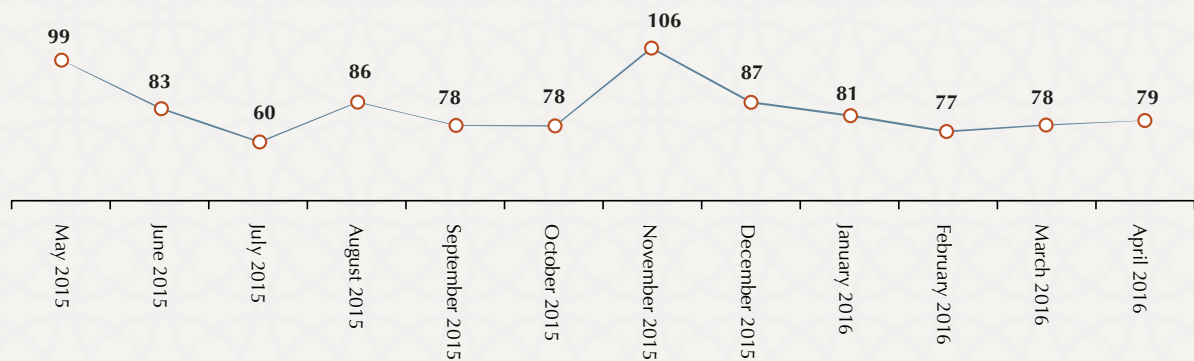
Gender	Number
Male	558
Female	365
<b>Total</b>	<b>923</b>

### Method of Complaint Submission



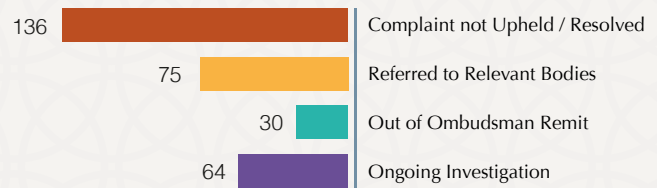
Method	Number
In Person	857
Complaint Box	65
Email	47
By Post	21
Initiated by Ombudsman	2
<b>Total</b>	<b>992</b>

### Complaint Figures Received Each Month



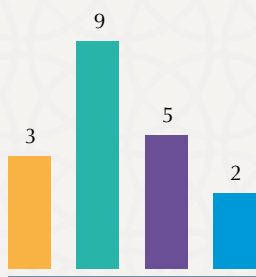
Month	Number
May 2015	99
June 2015	83
July 2015	60
August 2015	86
September 2015	78
October 2015	78
November 2015	106
December 2015	87
January 2016	81
February 2016	77
March 2016	78
April 2016	79
<b>Total</b>	<b>992</b>

## Actions Taken with Regard to Complaints

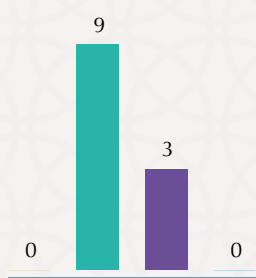


Action Taken	Number
Complaint not Upheld / Resolved	136
Referred to Relevant Bodies	75
Out of Ombudsman Remit	30
Ongoing Investigation	64
<b>Total</b>	<b>305</b>

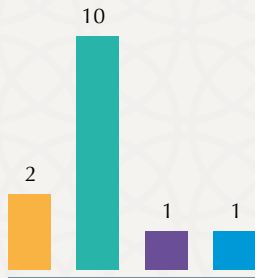
### Complaints against Directorates/Institutions



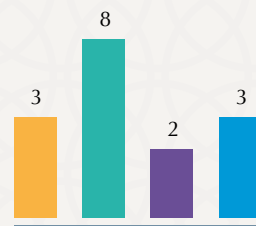
Police Directorate  
Northern Governorate



Police Directorate  
Southern Governorate



Police Directorate  
Muharraq Governorate



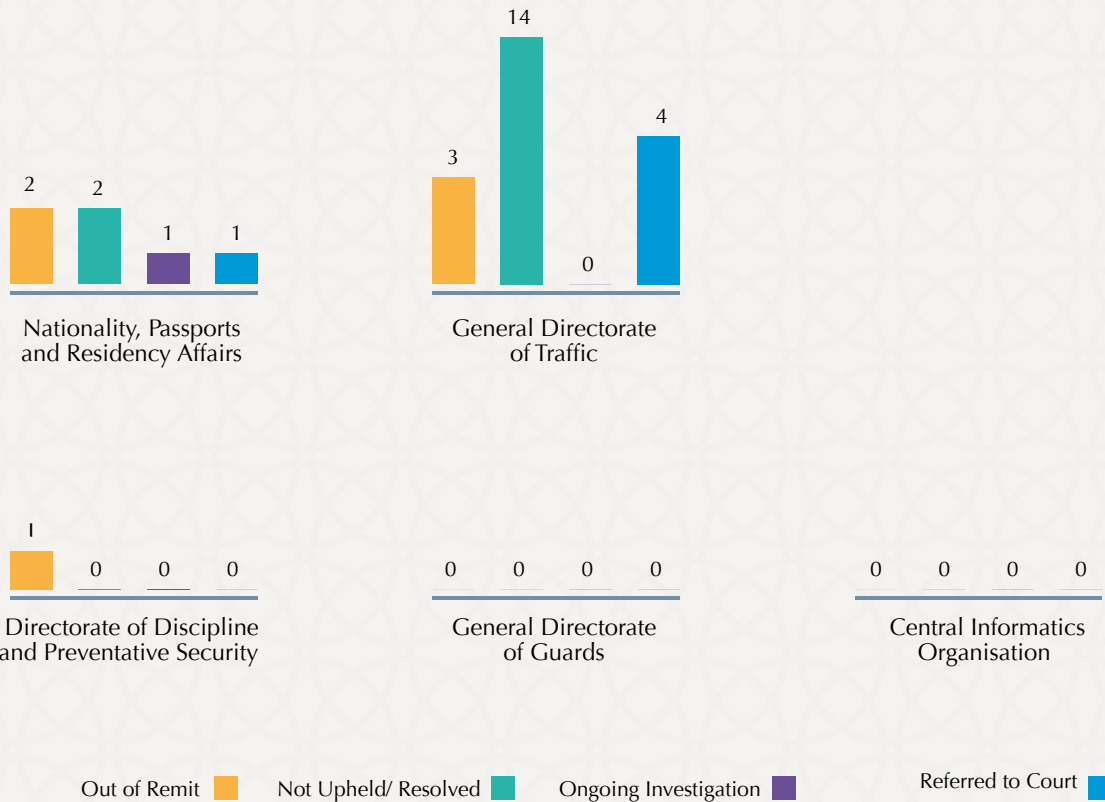
Police Directorate  
Capital Governorate

Out of Remit ■ Not Upheld / Resolved ■ Ongoing Investigation ■ Referred for criminal disciplinary Proceedings ■

Directorate/Institution	Action Taken				Total
	Referred for criminal/ disciplinary Proceedings	Ongoing Investigation	Not Upheld / Resolved	Out of Remit	
Police Directorate Capital Governorate	3	2	8	3	16
Police Directorate Muharraq Governorate	1	1	10	2	14
Police Directorate Southern Governorate	0	3	9	0	12
Police Directorate Northern Governorate	2	5	9	3	19
<b>Total</b>	<b>6</b>	<b>11</b>	<b>36</b>	<b>8</b>	<b>61</b>



## Continued - Complaints against Directorates/Institutions



Directorate/Institution	Action Taken				Total
	Referred to Court	Ongoing Investigation	Not Upheld/Resolved	Out of Remit	
<b>General Directorate of Traffic</b>	4	0	14	3	21
<b>Nationality, Passports and Residency Affairs</b>	1	1	2	2	6
<b>Directorate of Discipline and Preventative Security</b>	0	0	0	1	1
<b>General Directorate of Guards</b>	0	0	0	0	0
<b>Central Informatics Organisation</b>	0	0	0	0	0
<b>Total</b>	5	1	16	6	28

### Continued - Complaints against Directorates/Institutions



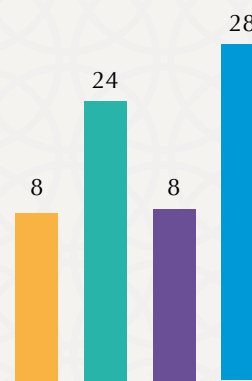
Airport Police



Directorate of Special Forces



Directorate of Custom Affairs

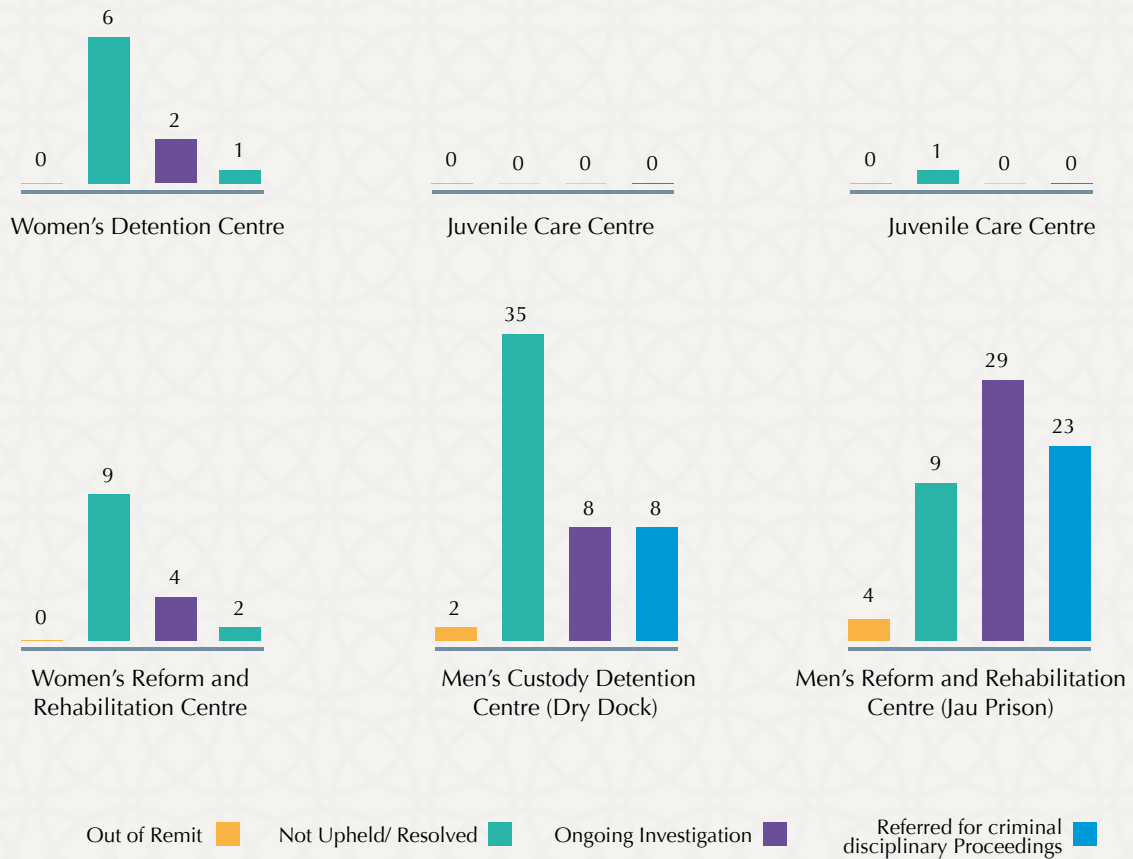


General Directorate for Criminal Investigations and Forensic Evidence

Out of Remit ■ Not Upheld/Resolved ■ Ongoing Investigation ■ Referred for criminal disciplinary Proceedings ■

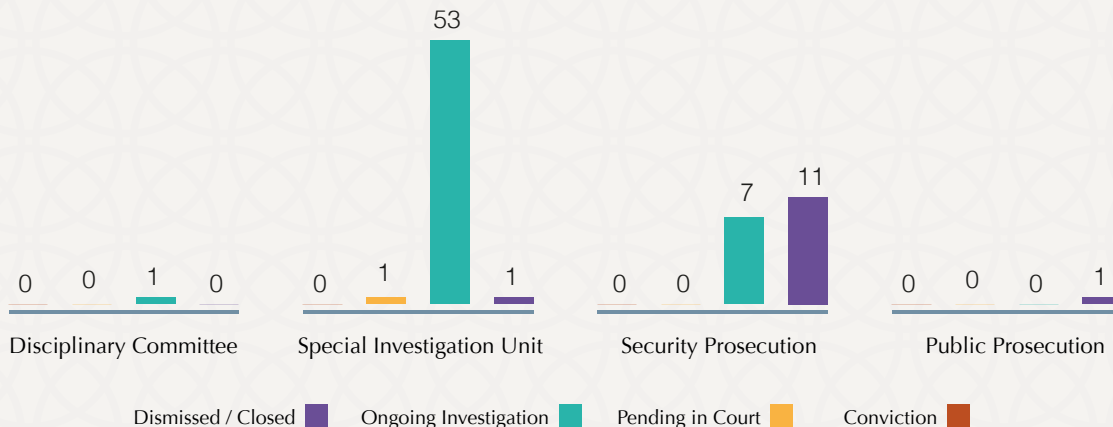
Directorate/Institution	Action Taken				Total
	Referred for criminal/ disciplinary Proceedings	Ongoing Investigation	Not Upheld /Resolved	Out of Remit	
General Directorate for Criminal Investigations and Forensic Evidence	28	8	24	8	68
Directorate of Custom Affairs	0	1	0	2	3
Directorate of Special Forces	2	0	0	0	2
Airport Police	0	0	0	0	0
<b>Total</b>	<b>30</b>	<b>9</b>	<b>24</b>	<b>10</b>	<b>73</b>

## Complaints Originating from Reform and Rehabilitation Centres



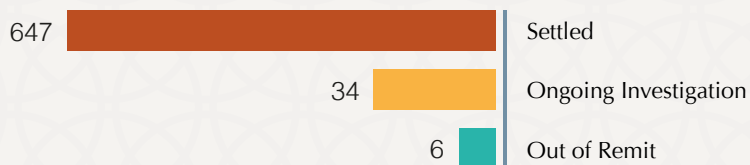
Reform and Rehabilitation Centre	Action Taken				Total
	Referred for Criminal/Disciplinary Proceedings	Ongoing Investigation	Not Upheld /Resolved	Out of Remit	
Men's Reform and Rehabilitation Centre (Jau Prison)	23	29	9	4	65
Men's Custody Detention Centre (Dry Dock)	8	8	35	2	53
Women's Reform and Rehabilitation Centre	2	4	9	0	15
Women's Detention Centre	1	2	6	0	9
Juvenile Care Centre	0	0	0	0	0
Deportation Centre	0	0	1	0	1
<b>Total</b>	<b>34</b>	<b>43</b>	<b>60</b>	<b>6</b>	<b>143</b>

### Organisations to which Ombudsman Complaints referred for Criminal/Disciplinary Investigation



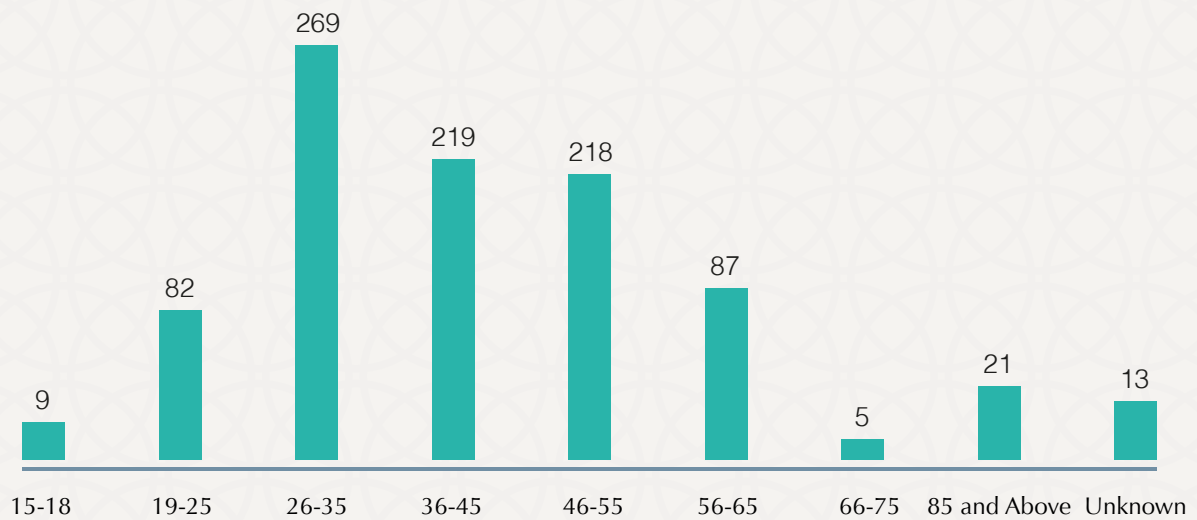
Directorate	Action Taken				Total
	Dismissed/Closed	Ongoing Investigation	Pending in Court	Conviction	
Public Prosecution	1	0	0	0	1
Security Prosecution	11	7	0	0	18
Special Investigation Unit	1	53	1	0	55
Disciplinary Committee	0	1	0	0	1
<b>Total</b>	<b>13</b>	<b>61</b>	<b>1</b>	<b>0</b>	<b>75</b>

### Actions Taken in Relation to Requests for Assistance



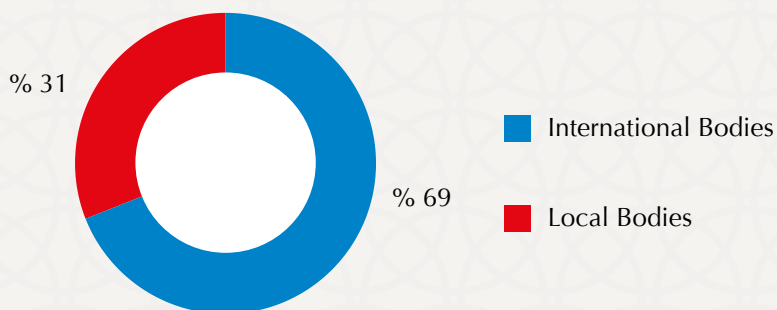
Action Taken	Number
Settled	647
Ongoing Investigation	34
Out of Remit	6
<b>Total</b>	<b>687</b>

### No of Complaints by Complainant Age



Age	Number
15-18	9
19-25	82
26-35	269
36-45	219
46-55	218
56-65	87
66-75	5
85 and Above	21
Unknown	13
<b>Total</b>	<b>923</b>

### Investigation Request (May 2015 0 April 2016)



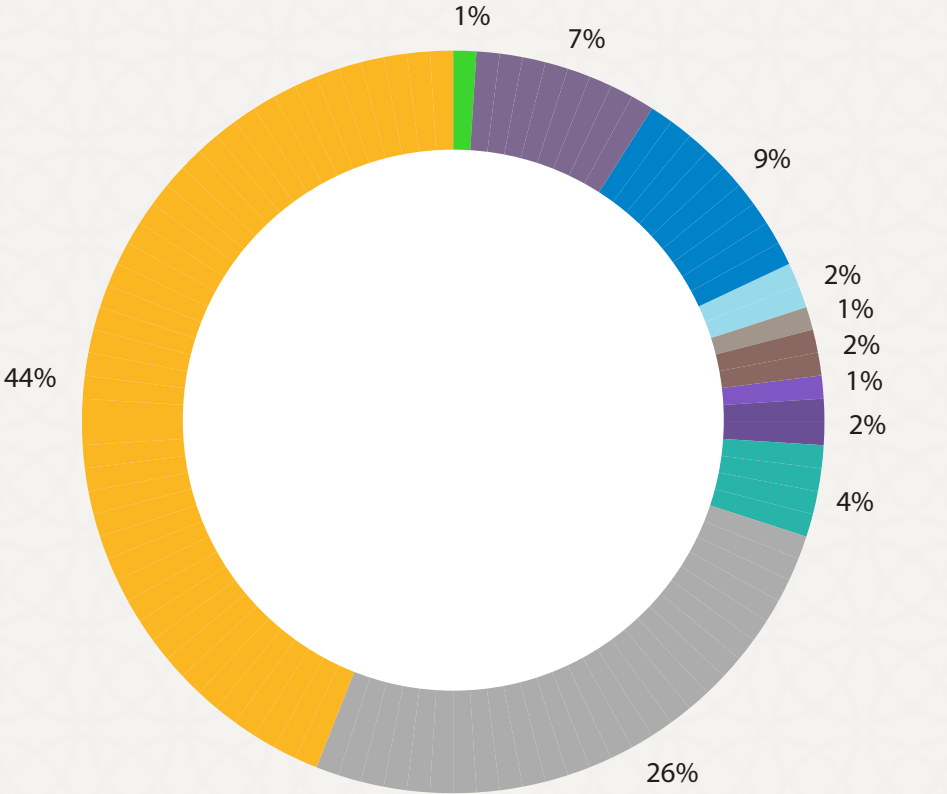
<b>International Bodies</b>	46
<b>Local Bodies</b>	21
<b>Total</b>	<b>67</b>

### Requests for Assistance Categories against Ombudsman Standards

Category	Number
Mother and Child Unit	4
Inmates Transportation / Escorts	3
Assistance Means	1
Clarification on Legal Rights	49
Safety	3
Legality of Detention/Imprisonment	59
Rehabilitation	15
Right to Respectful Treatment	6
Conditions of the Place of Detention	11
Complaint System	10
Detainee Care Arrangements	15
Education, Skills, and Work	27
Other Needs (Exercise, Reading, Visits, Communication etc.)	182
Healthcare	302
<b>Total</b>	<b>687</b>

Request for Assistance categorized based on Ombudsman Standards

### Requests for Assistance Categories against Ombudsman Standards



- Respect 1 %
- Mother and Child Unit 1 %
- Conditions of the Place of Detention 2 %
- Inmate Transportation / Escorts 0 %
- Complaints 1 %
- Assistance Means 0 %
- Care of Detainees 2 %
- Clarification of Legal Rights 7 %
- Education, Skills, and Work 4 %
- Safety 0 %
- Other Needs (Exercise, Reading, Visits, Communication etc.) 26 %
- Legality of Detention/Imprisonment 9 %
- Healthcare 44 %
- Rehabilitation 2 %







Section Two

# **Sample Complaint**

Investigations

## ▷ Sample Case 1

Complainant A's sister visited the Ombudsman Office to ask for information about the procedure her brother needed to follow to secure permission to attend an oral examination in connection with his Master's Degree. She also asked to be allowed to deliver copies of documentation relating to her brother's thesis to Jau Rehabilitation Centre and to receive an assurance that these would be passed on to him. The Ombudsman investigator explained that inmates are permitted to continue their studies in detention in stages and provided Complainant A's sister with information about the process to be followed.

The Ombudsman Office then discussed Complainant A's sister's request with the Safe Deposit Division in Jau Rehabilitation Centre and received confirmation that there would be no objection to her delivering material related to her brother's thesis to Jau. Staff also confirmed that this would be given to Complainant A when it was received. Complainant A's sister subsequently confirmed that the documents had been delivered to the rehabilitation centre and had been received by her brother. She said also that her brother had submitted a request to prison administration for permission to attend his oral examination, as advised by the Ombudsman investigator, and that consent had been given.

Some months later, Complainant A's sister confirmed that she had attended her brother's oral examination with him and that he had successfully completed his degree.

The case was closed as settled but, given the important role that education can play in inmate rehabilitation, the Ombudsman made a recommendation that Jau Rehabilitation Centre should review its procedures for liaising with examination bodies and for ensuring that detainees are aware of the steps that they need to take to request permission to sit examinations.

## ▷ Sample Case 2

The complainant attended the Ombudsman Office to submit a request on behalf of his brother Complainant

B and son Complainant C who were both held in Jau Rehabilitation Centre. Complainant B's brother explained the difficulties that he was experiencing because he was having to visit his brother and son on different days. He asked if it would be possible to coordinate visits in order for him to be able to see both family members without having to attend the rehabilitation centre twice.

The Ombudsman is well aware of the challenges that rehabilitation Centre faces in organising very large numbers of family visits and trying to meet the needs of all inmates and visitors, in circumstances where visit arrangements must be constantly risk assessed.

The Ombudsman understands, however, the importance to both inmates and their families of visits and encourages a flexible and helpful approach to visit arrangements wherever this is possible. This being the case, the Ombudsman investigator discussed the difficulties that the family member of Complainants B and C was experiencing, with the rehabilitation centre administration. The rehabilitation centre staff were understanding of the difficulties and agreed that it would be appropriate in this case to combine visits to Complainant B and Complainant C. Both inmates were told of the decision.

The Ombudsman Office subsequently confirmed that a date had been set for Complainant B's brother to visit both his brother and his son and the case was closed as settled.

## ▷ Sample Case 3

The Independent Ombudsman received complainants from Complainants D, E, F, and G held in Jau Rehabilitation Centre. The complaints made various allegations of assault and mistreatment by police staff.

Ombudsman investigators attended the rehabilitation centre to speak with each of the four complainants and to record detailed accounts of their allegations. The complainants alleged a number of incidents that were reported to have taken place on the same date. One complainant alleged that police staff had pushed him to the floor and kicked him during the morning inmate

check. The complainant alleged that this occurred in the presence of another officer. Other complainants alleged that they were part of a group of detainees who were taken from their cells to the reception area of their building, where they were physically assaulted.

Ombudsman investigators inspected the building where the complainants are held and observed that CCTV cameras are located throughout the unit. The investigators immediately secured the CCTV footage for the date of the alleged incidents. The investigators also interviewed witnesses located in the building who provided accounts which appeared to corroborate the complainant accounts.

The investigators examined the secured CCTV and found that the independent evidence did not substantiate the four complainant accounts that they were mistreated. The CCTV did, however, evidence the fact that four other inmates in the same building, who had not complained to the Ombudsman, were physically assaulted by staff.

As a result of the evidence collected and examined, the Ombudsman investigators concluded that suspected crimes may have been committed and they immediately referred the case file with all of the evidence to the Special Investigation Unit (SIU) for criminal investigation. The Ombudsman also arranged for the police staff involved in the mistreatment of the inmates to be removed to administration duties as a preventative measure, pending the outcome of the criminal investigation.

In line with normal practice, the Ombudsman Office is continuing to monitor the progress of the criminal investigation. The Ombudsman is also continuing to investigate a number of procedural and administrative concerns identified during the course of the investigation.

#### ▷ Sample Case 4

The complainant attended the Ombudsman Office to submit a request on behalf of her brother Complainant H. Complainant H's sister said that her brother wanted their mother to be permitted to use a wheelchair when visiting him in Jau Rehabilitation Centre. She explained

that her mother is ill and has serious mobility problems, which make her unable to use the stairs in the building where visits take place. She explained also that the door into the visits area is very narrow, making it difficult for a wheelchair to pass through.

The Ombudsman investigator was familiar with the visits area and fully understood the difficulties described by the complainant's sister. Contact was made with the rehabilitation centre administration to discuss the visits area access problems and to discuss also options for addressing the needs of Complainant H's mother. To resolve the difficulties reported by Complainant H's sister, administration staff agreed to take action to ensure that his mother could use her wheelchair when visiting her son and agreed also to arrange access through an alternative wider entrance.

The Ombudsman investigator informed Complainant H's sister of the arrangements that had been agreed and asked her to phone the Ombudsman investigator on the morning of the day of her mother's next visit so that the investigator could liaise with the rehabilitation centre staff responsible for implementing the new arrangements.

In line with normal practice, the Ombudsman subsequently checked the implementation of the agreed action and was able to confirm that Complainant H's mother had been able to use her wheelchair when visiting her son.

The case was closed as settled.

#### ▷ Sample Case 5

The father of Complainant J attended the Ombudsman Office to file a complaint on behalf of his son, who was an inmate at Jau Rehabilitation Centre at the time of the incident that was the subject of the complaint. The father of Complainant J alleged that his son had been assaulted by police staff at the rehabilitation centre.

An Ombudsman investigator attended the Jau Rehabilitation Centre where Complainant J is now held. The investigator interviewed Complainant J to discuss the allegations reported to the Ombudsman by his father. At interview, Complainant J claimed that he had

been physically assaulted and insulted in the presence of a number of police staff. He said also that he had sustained an injury to his right hand when he was hit with handcuffs.

The investigator requested all of the prison and medical files relevant to the allegations and was able to identify and secure relevant CCTV footage, which was immediately examined in the CCTV monitoring room at Jau Rehabilitation Centre. The investigator was able to observe police staff applying handcuffs to Complainant J and restraining him by using the appropriate force because he was refusing to cooperate with committal administration procedures. A member of police staff was then seen physically assaulting him.

The Ombudsman investigator concluded that the actions of the staff member may constitute a crime and the Ombudsman immediately referred the case to the Special Investigation Unit (SIU) for a criminal investigation. The Ombudsman also arranged for the police staff member concerned to be transferred to administrative duties as a preventative measure.

The case is currently in the security prosecution and, at the appropriate time, the Ombudsman will carry out a full case review to determine whether there are any policy, procedural or disciplinary issues that require further investigation by his Office.

### ▷ Sample Case 6

Complainant K, an inmate filed a complaint to the Ombudsman Office alleging that he had been assaulted by police staff at Jau Rehabilitation Centre.

An investigator attended the rehabilitation centre and interviewed Complainant K about his allegations. During the interview, Complainant K stated that after lunch, on a particular date, police staff ordered him and other inmate to run back to their cells. Complainant K said that he and the other inmate refused to return to their cells as instructed and they were then taken to the Centre's search room. He said that a police officer told them that they must obey orders.

Complainant K added that the police staff then handcuffed him and the other inmate and took them out of the search

room to the staff rest room where he was hit by a police staff around his neck area causing him to fall to the floor. Complainant K said that he was then taken back to his cell. He said that there were inmate witnesses who could provide information relevant to the incident.

Ombudsman investigators interviewed two witnesses named by the complainant. One witness stated that he had seen red marks on the complainant's face and right ear when he was returned to his cell by police staff. The second witness said that he saw police staff take the complainant into the restroom and heard him saying "don't hit." He said also that he had observed red marks on the complainant's face and right ear after he was returned to his cell.

The scene was examined, prison and medical records requested and relevant CCTV secured. The CCTV was examined and showed two members of police staff taking Complainant K into the staff restroom as alleged.

In light of all of the evidence examined during the investigation, the Ombudsman investigators concluded that a crime may have committed and immediately referred the case along with all of the evidence to the Special Investigation Unit (SIU) for criminal investigation. The Ombudsman also notified the MOI that the police staff concerned should for the protection of inmates, be transferred to administrative duties whilst the criminal investigation is ongoing.

In line with normal practice, the Ombudsman Office continues to monitor the progress of the criminal investigation and is continuing to investigate related administrative issues.

### ▷ Sample Case 7

The father of Complainant L attended the Ombudsman Office to file a complaint alleging that his son had been arrested and taken into the custody of the Criminal Investigation Department (CID.) The father said that when he subsequently visited his son in Dry Dock Detention Centre, his son told him that he had been beaten and tortured mentally and physically by police staff from the Criminal Investigation Department (CID).

An Investigator interviewed Complainant L who said that

following his arrest, he had been slapped around his head and neck by police staff on his way to detention. He said that, during the period that he was held by the CID he was interrogated numerous times but had no information about the matters that police officers questioned him about and was tortured. Complainant L provided a detailed account of alleged mistreatment which, if true, would constitute torture. Complainant L said that he had ongoing pain and other problems as a result of injuries sustained during his mistreatment. The investigator noted that Complainant L's hand was bandaged and Complainant L said that this was due to his hand being kicked whilst handcuffed behind his back.

The investigator requested CCTV; police computerised records relating to Complainant L's movements and his medical and detainee records. The results of a forensic medical examination carried out when Complainant L was brought before the Public Prosecution Service doctor was also requested, along with medical notes from an outside hospital attended by Complainant L.

On the basis of his early investigation and evidence gathering, the Ombudsman investigator determined that the complaint brought to the office by Complainant L may constitute a criminal offence(s) falling within the competence of the Special Investigation Unit. In line with the requirements of its Decree, the Ombudsman transferred the case and all related evidence to the SIU for a criminal investigation.

In line with Office practice, the Ombudsman is monitoring the progress of the criminal investigation. The Ombudsman investigation into a number of policy, practice and administrative issues identified during the course of the investigation is ongoing.

### ▷ Sample Case 8

Complainant M attended the Ombudsman Office to file a complaint alleging fraud by a police officer. She told an Ombudsman investigator that the officer concerned had deceived her with what appeared to be an official engagement agreement and had then conspired with an accomplice to get him to impersonate a marriage official. The person concerned had no

lawful qualification to undertake this role. Following this fraudulent behaviour, the officer committed a further serious offence by behaving towards Complainant M in a way that would only have been appropriate if she was his legal wife.

Complainant M also alleged that the police officer had unlawfully entered her residence.

Following a preliminary investigation, the Ombudsman investigator concluded that the police officer who was the subject of the complaint may be guilty of a number of offences including fraud; a breach of the right to freedom and privacy and a violation of the Penal Code which prevents a person entering someone else's residence against the will of the person concerned. The case was, therefore, transferred to both to the Military Court and the Public Prosecution Service.

On the basis of the evidence examined, the Military Court ordered the dismissal of the police officer from his employment.

The Criminal Court convicted the officer and sentenced him to three years imprisonment.

### ▷ Sample Case 9

Complainant N registered a request with the Ombudsman Office following the arrest of her son. She alleged that members of the Criminal Investigation Department had seized personal possessions belonging to her and her husband. The items seized included a car, two phones and a laptop. Complainant N said that she wanted these items to be returned.

The Ombudsman investigator interviewed Complainant N's son who said that the seized car belonged to his father. He said also that when CID officers came to his home he witnessed all of the items listed by his mother being seized, except for the car.

An Ombudsman investigator requested all relevant police records. The investigator also contacted the Criminal Investigation Department and established that the car had now been returned to the complainant's husband but that the other items seized had been retained by order of the Public Prosecution Service, in connection with the criminal investigation.

The investigation established that the car had been legally seized because it had been used by Complainant N's son and had been identified as a possible evidence source. When the police established that the car was no longer required for evidential purposes, it was returned to the family.

Complainant N was informed of the action taken and the outcome.

The investigation concluded the incident did not constitute any act of misconduct by police personnel and, in accordance with the Ombudsman's Decree, no further action was taken.

The case was closed as settled.

### ▷ Sample Case 10

Complainant P attended the Independent Ombudsman Office to file a complaint stating that he and his son had been unlawfully detained and that a police member had hit him on his shoulder using his elbow.

Complainant P said that he had received a call from the General Directorate of Traffic to inform him that he should bring his son's car to them. He said that he was told that the car was required in connection with an investigation into a traffic violation. Complainant P said that he went to the Directorate of Traffic accompanied by his other son, to find out more about the alleged violation.

Complainant P said that at the General Directorate of Traffic he spoke with a police staff and asked him to access the images of the alleged violation. He said that he was permitted to see the images and noted that his son's car was visible but was parked. Complainant P said that he pointed out to the police staff that the pictures did not evidence any violations.

The police staff then called the lieutenant who had, on the instruction of the directorate of traffic, ordered Complainant P to bring his son's car to the directorate. The lieutenant ordered the police staff to detain the complainant and his son until they provided the car, as instructed.

Complainant P said that he and his son tried to open

the exit door but that they were prevented from leaving by police staff.

The Independent Ombudsman identified and interviewed the police staff who were the subject of the complaint; interviewed other witnesses and established that there was CCTV footage in the reception area of the alleged incident. The relevant CCTV footage was secured and examined. An analysis of all of the evidence showed that Complainant P had been forcibly detained as alleged and that the detention was unlawful. There was no evidence that Complainant P had, as alleged, been hit on the shoulder.

The Ombudsman referred the case to the Security Prosecution for criminal investigation. In line with normal practice, the progress of the criminal investigation is being monitored.

### ▷ Sample Case 11

The Ombudsman received a complaint from a legal representative on behalf of Complainant Q. The legal representative said that when he had visited Complainant Q in detention his client had told him that, after being taken to the Criminal Investigation Department (CID), he had been denied access to phone calls by CID officers and had been threatened that he would be assaulted if he did not make a confession.

In line with Ombudsman policy, an investigator interviewed Complainant Q, obtained and examined all of his police and medical records. The investigator also examined CCTV footage.

At interview, Complainant Q alleged that he was forced to sign a confession against his will and that he has a health issue and that he did not receive prescribed medication for an existing health condition when he visited the doctor.

Audio CCTV showed that, on the day of the arrest Complainant Q attended at the CID Department and was permitted to make phone calls and was heard to speak with a family member.

On the second day following his arrest, Complainant Q was again brought to the CID and interviewed. During the course of the interview, Complainant Q

could be seen and heard making multiple requests for amendments to a written statement prepared by the officer who was interviewing him. On each occasion, the interviewing police officer could be seen making the requested amendments. CCTV also showed that no attempts were made to intimidate Complainant Q as he answered questions and that prayer breaks were taken during the interview.

Ombudsman investigators watched all of the footage of Complainant Q's time in the CID and no issues of concern were identified. Investigators also established that Complainant Q had been medically examined after his arrest and did receive his prescribed medication.

The investigation concluded that none of the evidence examined constituted any act of misconduct by police personnel and, in accordance with the Ombudsman's Decree, no further action was taken.

The case was, therefore, closed.

### ▷ Sample Case 12

The Ombudsman received a complaint from an international NGO acting on behalf of an individual, Mrs. R, whom they said was concerned about the whereabouts of her son. The NGO stated that Mr. and Mrs. R had been visited by police officers who required them to provide their son's address, in order that they could question him. The NGO alleged that Complainant R's son had then been abducted from his home by security forces accompanied by MOI staff. The NGO further stated that, for the five days since his abduction, the family of the person concerned had received no information about his whereabouts or about the reason for his detention.

The Ombudsman was asked by the NGO to determine the whereabouts of the missing person; the reason for his arrest and to contact his family.

The Ombudsman immediately opened an investigation. The Criminal Investigation Department was contacted and was able to confirm that they had detained Mrs. R's son. Investigators then secured the CID telephone records relating to Complainant R's son, which indicated that he had called his family on the day of his arrest and

made three further calls in the following five days.

The NGO which lodged this complainant had helpfully provided a phone number for Mrs. R as requested, wherever possible, by the Ombudsman Office. Ombudsman investigators therefore contacted Mrs. R to speak with her. Mrs. R was able to confirm that her son had called his family on the day of his arrest and a number of times since. Mrs. R was asked if she had any complaints that she wished the Ombudsman to investigate and she said that she did not.

The case was, therefore, closed as resolved.







Section Three

# **Deaths in Detention**

Investigations

## Ombudsman Deaths in Detention Investigations

Location	Cause of Death							Total
	Suicide	Natural Causes	Chronic Disease	Drug Abuse	Torture	Shooting	Ongoing Investigation	
Jau Rehabilitation Centre	1	0	0	0	0	0	0	1
Dry Dock Detention Centre	0	1	0	0	0	0	0	1
Police Governate	0	0	0	0	0	0	0	0
Military Detention Centre	0	0	0	0	0	0	0	0
Women Detention Centre & Women Reformation and Rehabilitation Centre	0	0	0	0	0	0	0	0
Juvenile Care Centre	0	0	0	0	0	0	0	0
Men Deportation Centre	0	0	0	0	0	0	0	0
External Hospital	0	0	0	1	0	0	0	1
Ongoing Investigation	0	1	1	0	0	0	2	4
Total	1	2	1	1	0	0	2	7

### Deaths in Detention Investigations Aims of Ombudsman Death in Detention Investigations

In line with his mandate, the Ombudsman opened seven death investigations in the last 12 months. The Ombudsman is responsible for establishing whether there are issues of misconduct or negligence connected with a detainee or inmate death that may require a disciplinary response. Very importantly, the Ombudsman also examines whether any lessons can be learnt that might prevent future critical incidents or deaths. Deaths can be particularly distressing for families who may wish to know as much as they can about the circumstances of the death and the care provided to their family member. The Ombudsman welcomes the chance to meet with families to listen to any concerns that they have or information they would like to receive, and to include these in his investigation.

Primary responsibility for the investigation of deaths in detention lies with the Public Prosecution Service which must establish the cause of death and must consider whether the circumstances of the death raise any issues of criminal wrongdoing. Because of this, the Ombudsman must delay any action that might compromise the criminal investigation until he receives confirmation from the Public Prosecutor or Special Investigation Unit that he may proceed. The Ombudsman will, however, then continue to investigate each death until he is satisfied that family concerns have been addressed and relevant learning opportunities have been identified. Where appropriate, recommendations are made and every effort is made to ensure that these are supportive of the wider efforts of the MOI to develop the facilities.

Towards the end of this year, the Ombudsman

carried out a review of all of the deaths that have occurred since the inception of the Ombudsman Office. As a result of this review, the Ombudsman's team have approved a series of recommendations in key areas that they believe should apply across all rehabilitation and detention centres in Bahrain. The recommendations relate to areas highlighted also in the Rehabilitation Law and Regulations and it is very much hoped that they will inform the service development programmes which the Ministry of the Interior is working hard to implement.

**The recommendations relate to:**

1. The Arrangements for Responding to Medical Emergencies in Detention and Rehabilitation Centres.

The Ombudsman has identified the need to review and take any action required in respect of:

- ▷ The availability of resuscitation equipment in residential buildings
- ▷ The arrangements for ensuring that, where indicated, healthcare staff can attend at the scene of the emergency with the necessary medical equipment
- ▷ The arrangements for prison staff first aid and first response protocols and training
- ▷ Arrangements for efficient and effective transfer to outside hospitals

2. Care of Vulnerable Detainees / Inmates

It is to note that the Ombudsman has already recommended that community medical records should be requested and examined following admission to a detention or rehabilitation centre.

The Ombudsman has also identified the need to review and take any action required in respect of:

- ▷ The arrangements for identifying vulnerable detainees and inmates at the time of committal
- ▷ The arrangements in place for supporting and rehabilitating vulnerable detainees and inmates, including those with mental health problems
- ▷ Staff training in the needs of vulnerable detainees and the identification of those at risk of self-harm

- ▷ Prison and healthcare policies and procedures for protecting and supporting those at risk of self-harm
- ▷ The arrangements for risk assessing places where inmates may be alone, for example bathrooms, segregation cells etc

3. The Management of Substance Abuse in Places of Rehabilitation and Detention

The Ombudsman has previously made recommendations relating to the arrangements for preventing illicit substances or non-prescribed medication being brought into detention and rehabilitation centres.

The Ombudsman has also identified the need to review and take any action required in respect of managing the demand for illicit substances and in particular:

- ▷ The arrangements for carrying out detainee and inmate drug testing
- ▷ The arrangements for identifying detainees and inmates with a history of illicit substance or medicine abuse at the time of committal and managing their related medical needs
- ▷ To increase rehabilitative programmes for known drug users
- ▷ Arrangements for staff training in the identification of those using illicit substances or abusing medication and the support needs of those at risk of substance abuse
- ▷ Increasing educational, recreational and other purposeful activity programmes to engage detainees and inmates and prevent encourage positive mental health

A summary of the deaths in detention this year follow.

**Death in Detention Investigation 1**

<b>Name</b>	Mr. A
<b>Age</b>	59
<b>Cause of death</b>	Drug Related Death
<b>Date</b>	17 June 2015
<b>Place</b>	Deportation Centre

The Directorate of the Deportation Centre notified the independent Ombudsman that a group of detainees had found Mr. A sitting on the toilet unconscious. The detainees informed the police duty officer who immediately called an ambulance to take Mr. A to hospital. When the ambulance arrived at the Deportation Centre, the medical team found that Mr. A had died.

Ombudsman investigators attended the scene and commenced an investigation. Witnesses were interviewed and Mr. A's cellmate said that, at the time of the call for daybreak Fajer prayer there was no response from Mr. A, who was in the cell toilet. He said that he opened the toilet door a little to check on him and found him sitting on the toilet unconscious. The Deportation Centre police duty officer then tried unsuccessfully to wake Mr. A, before calling for an ambulance. When the medical team arrived, they found that Mr. A was dead.

Mr. A's deportation centre, health care and medication records were obtained by investigators and examined. Investigators found that Mr. A was suffering from a number of chronic illnesses and that medication was being prescribed and dispensed for him. They found also that Mr. A had attended medical appointments at the MOI clinic and at a hospital, before his death.

The Public Prosecution Service was notified of Mr. A's death and concluded that there was nothing about the circumstances of the death to suggest that any crime had occurred, so it concluded its investigation by closing the case.

The Ombudsman Office then obtained the forensic examination report relating to Mr. A's death. The report

stated that the cause of death was from a severe decline in blood and respiratory circulation following the consumption of heroin.

The Ombudsman investigation is ongoing.

**Death in Detention Investigation 2**

<b>Name</b>	Mr. B
<b>Age</b>	34
<b>Cause of death</b>	Chronic Disease
<b>Date</b>	18 Aug 2015
<b>Place</b>	External Hospital

The Directorate of Reform and Rehabilitation at the MOI informed the independent Ombudsman about the death of Mr. B, an inmate from Jau Reform and Rehabilitation centre. Mr. B had been transferred to hospital, less than one hour before his death.

Ombudsman investigators commenced an investigation and immediately interviewed witnesses. All relevant inmate, health care and medication records were collected and examined.

Investigators established that Mr. B was sitting with his cellmates when he suddenly complained of feeling unwell. Mr. B was taken to the Jau healthcare centre where his condition was assessed to be extremely serious and he was, following emergency treatment, transferred to hospital. 30 minutes after he arrived at the hospital, Mr. B died following a cardiac arrest.

The Ombudsman Office requested Mr. B's hospital medical notes. Investigators also contacted the Public Prosecution Service to request a copy of its investigation and findings. The forensic report was examined and it was noted that the coroner concluded that Mr. B's death occurred as the result of an acute medical condition, which caused the cardiac arrest.

The Ombudsman investigation into Mr. B's medical history and the medical care he received at Jau Rehabilitation Centre is ongoing.

Death in Detention Investigation 3	
<b>Name</b>	Mr. C
<b>Age</b>	62
<b>Cause of death</b>	Natural causes
<b>Date</b>	11 May 2015
<b>Place</b>	External Hospital

The Directorate of Rehabilitation and Reform at the MOI notified the independent Ombudsman that Mr. C had died in hospital. The hospital notes recorded that Mr. C was transferred from Jau Rehabilitation Centre the day before his death, following concerns about the result of an electrocardiograph (ECG.) Mr. C's death was recorded as being due to myocarditis

Ombudsman investigators visited the hospital and spoke with staff. They requested and examined Mr. C's hospital and rehabilitation centre medical records and the report of death. Mr. C's cellmates were interviewed and said that he had been feeling very unwell the day before his death and had asked to go to the centre clinic.

Investigators established that the doctor who then examined Mr. C was concerned about abnormalities on an ECG and about inflammation of his nasopharynx (the part of the pharynx above the soft palate.) The doctor decided to arrange an immediate transfer to hospital. Mr. C died on the day following his transfer to hospital.

The Ombudsman Office requested the Public Prosecution Service investigation records and the forensic report. The forensic report recorded that Mr. C's death was due to respiratory and circulatory failure. A blood analysis showed that Mr. C's blood was free from any unexplained substances.

The Public Prosecution Service determined that there was nothing suspicious about Mr. C's death.

The examination of Ombudsman evidence also raised no issues of concern and the file into Mr. C's death was, therefore, closed.

Death in Detention Investigation 4	
<b>Name</b>	Mr. D
<b>Age</b>	58
<b>Cause of death</b>	Natural Causes
<b>Date</b>	11 December 2015
<b>Place</b>	Dry Dock Detention Centre

The Directorate of Dry Dock Detention Centre notified the Ombudsman that Mr. D had died at the Centre. Investigators immediately attended the Detention Centre.

The investigators interviewed Mr. D's cellmates and the Detention Centre clinic doctor; visited the scene of Mr. D's death and obtained and examined all related inmate records; visit records; medical records and incident reports.

Investigators established that Mr. D was sitting with his cellmates the day before his death and said that he was feeling unwell. His cellmates said that he was experiencing digestive problems and chest pain. They said that Mr. D asked to be taken to the centre clinic and that this was immediately arranged.

The clinic doctor examined Mr. D and an ECG was performed. The doctor prescribed stomach acidity medication before sending Mr. D back to the cell.

The next morning Mr. D did not wake up. His cellmates called for assistance and the duty officers then attended Mr. D with a doctor. The doctor made efforts to resuscitate Mr. D but these were unsuccessful and he was pronounced dead.

The Ombudsman Office obtained the Public Prosecution Service investigation records and Mr. D's forensic report. The forensic examiner recorded that the Mr. D's death was from respiratory and circulatory failure. No unexplained substances or medication that had not been prescribed was evident in his blood sample. The Public Prosecution Service determined that there was no evidence of a criminal offence.

The Ombudsman investigation into the death of Mr. D

is ongoing. The Ombudsman is examining in particular Mr. D’s medical history, his medical care in detention on the day before his death. The Ombudsman will make any appropriate recommendations in due course.

Death in Detention Investigation 5	
<b>Name</b>	Mr. E
<b>Age</b>	33
<b>Cause of death</b>	Investigation ongoing
<b>Date</b>	13 March 2016
<b>Place</b>	External Hospital

The Directorate of Reform and Rehabilitation notified the independent Ombudsman that Mr. E, an inmate from Jau Rehabilitation Centre, had died in hospital.

Ombudsman investigators visited the hospital and Jau Rehabilitation Centre and examined all related inmate records; examined healthcare records and requested ambulance and CCTV records. Witnesses were identified and interviewed.

Investigators established that Mr. E was breathing loudly whilst sleeping and that his body was convulsing. Mr. E’s cellmates called rehabilitation centre staff and Mr. E was then transferred to the centre clinic. After examining Mr. E, it was the doctor’s assessment that he needed to be transferred to hospital.

The Ombudsman Office has requested the details of the Public Prosecution Service investigation and the related forensic report.

An early Ombudsman review of Mr. E’s medical records shows that he suffered from a number of health related conditions. There is also evidence that he was troubled by severe sleep disturbance whilst in the rehabilitation centre. He was taking a number of prescribed medications.

Mr. E’s death raises a number of issues including details of what medication or drugs he took before his death and whether these were relevant to his death. The Ombudsman will examine these issues and will consider the adequacy of Mr. E’s health and

mental health care whilst in detention. Any appropriate recommendations will be made in due course.

Death in Detention Investigation 6	
<b>Name</b>	Mr. F
<b>Age</b>	43
<b>Cause of death</b>	Suicide
<b>Date</b>	31 March 2016
<b>Place</b>	Jau Rehabilitation Centre

Jau Rehabilitation Centre informed the Ombudsman Office that Mr. F had died by suicide on 31 March 2016. Mr. F was found hanging.

Ombudsman investigators immediately opened an investigation; conducted a site visit; interviewed witnesses; requested logs and accounts of the incident and requested all relevant centre records, including visit and phone call logs. Full medical records; medication records; medicine administration records and psychiatric reports were requested. Investigators also requested CCTV showing Mr. F’s last hours and recordings of his phone calls to family members, particular his most recent calls.

Investigators established that Mr. F was held, at the time of his death, in a single occupancy cell in a building for inmates at risk of attack by others or likely to attack others. The full circumstances of this are being investigated.

The Ombudsman investigation is ongoing. Public Prosecution Service investigation records and the related forensic report will be examined when available. Inmate and medical records are being examined; police and healthcare staff responsible for Mr. F’s care and wellbeing during his time in custody and at the time of his death will be interviewed and a chronology of events leading up to his death is being produced.

The details of how Mr. F was able to die by suicide will be fully examined. Early indications are that there were several factors that made Mr. F vulnerable to self-harm and the Ombudsman is examining the adequacy

of the care arrangements put in place by rehabilitation centre and health care staff.

A death by suicide in a rehabilitation centre can cause great distress to staff and other inmates and the support available to those affected will also be considered to see if any useful lessons can be learned.

The Ombudsman will report his findings and make any required recommendations when his investigation is completed. Early concerns have already been notified to the Directorate of Rehabilitation.

Death in Detention Investigation 7	
<b>Name</b>	Mr. G
<b>Age</b>	18
<b>Cause of death</b>	Ongoing investigation
<b>Date</b>	4 April 2016
<b>Place</b>	External Hospital

On 4 April 2016, Mr. G died in hospital after falling from a building in Shahrakan on 31 March 2016. Mr. G had been sentenced to five years' imprisonment on 15 February 2016 and was trying to evade police arrest at the time of his fall. The Special Investigation Unit is currently carrying out a criminal investigation into the full circumstances of Mr. G's death to establish the full facts.

In line with his mandate, the Ombudsman also commenced an investigation into the death of Mr. G. The Ombudsman early investigation is focused on gathering and analysing evidence from a wide variety of sources, including the hospital where Mr. G died, and the examination of any policy, procedural or administrative concerns arising from the circumstances of Mr. G's death. As soon as the Ombudsman is satisfied that it will not compromise the criminal investigation, his investigation will be comprehensively extended.

The Ombudsman will report his findings and recommendations when his full investigation has been completed.







Section Four

**International Cooperation,**  
Development, and Outreach

## Introduction

In line with its commitment to transparency and engagement, the Ombudsman's Office has continued to place a high priority on local and international outreach and activity.

During the last year, the Ombudsman and his team met with a great many stakeholders, including delegations from other countries visiting Bahrain and human rights organisations, to share information and lessons learned; discuss concerns about individual cases brought to the Ombudsman and identify opportunities for working cooperatively.

The Ombudsman Office engaged continuously with NGO's. 67 investigation requests were received from NGOs over the reporting period. The International Cooperation and Development Directorate worked closely with the Ombudsman Investigation Directorates to ensure that investigations were opened into all of the cases raised. In a number of cases, it was established that complaints had already been received from the individuals or families concerned. Where the necessary consent for disclosure of information was received from NGOs, the Ombudsman provided information on the progress of investigations.

In January 2016, a new process for NGOs registering investigation requests on behalf of individuals was introduced to ensure a consistent methodology for receiving, acknowledging and processing the requests received. The new process asked NGOs to provide information detailing the reasons for concerns raised; related evidence; witnesses who may be willing to speak with Ombudsman investigators and, where available, consent for the Ombudsman to share findings. The Ombudsman is very grateful to NGOs for cooperating with the procedures, which will both assist investigators and help the Ombudsman to more effectively track and manage the timeliness of responses to NGO investigation requests.

The Ombudsman has also responded to many media, diplomatic sector and individual information requests.

Information was shared, including performance statistics and details of Ombudsman operational policies and procedures, wherever this could be helpful.

The Ombudsman continues to provide a technical support service to staff and managers across the Ombudsman Office and to assist with the organisation of international inputs into staff training and development activity. Notwithstanding operational pressures this year, a significant investment was once again made in staff training and development, particularly in the challenging area of serious allegation investigation. All staff have attended best practice workshops delivered by leading practitioners and have participated in a programme of individual coaching and mentoring.

The Directorate also assists with the internal communication and quality assurance of Ombudsman policy, practice and standards.



**Ombudsman's delegation visit to European Parliament**

## Looking Forward

Over the past three years, the number of individuals and organisations seeking information or requesting investigations through the International Cooperation

and Development Directorate has steadily increased. We believe that this reflects a greater awareness of the Directorate and its functions. It is hoped that the efforts of the Directorate to provide a helpful and responsive service encourages those requiring assistance to use its services. The Directorate regularly receives feedback from service users that having the Directorate as a central point for their contacts with the Office is helpful.

The International Cooperation and Development Directorate looks forward very much over the next year to building on existing local and international stakeholder relationships and to developing new opportunities for information sharing and mutual assistance.

### The year 2015-2016

The Ombudsman Office hosted many visits and meetings over the course of the year. The examples that follow illustrate the breadth of Ombudsman Office activities in the field of international engagement; international cooperation and training and development in 2015-2016.

### United Nations

The Ombudsman attended and hosted several meetings with the UN starting in June 2015 in Geneva Switzerland. The Ombudsman presented the Office year end performance statistics and described both the challenges faced and progress made, over the previous year.

### Delegation:

#### US Congress



A delegation from the Ombudsman Office met a number of US Congress delegations on their several visits to Bahrain.

The Ombudsman delegation welcomed the US Congress visits, which were part of the Congress programme of international cooperation with foreign institutions and authorities interested in the development of human rights. The US delegations were briefed on the responsibilities of the Office of the Ombudsman and the progress made. The efforts made to implement best practice policy, procedures and standards and the extensive ongoing programme of staff training and development were discussed. The Ombudsman delegation also discussed the challenges facing the Office and the efforts made to engage and co-operate with local and international stakeholders.

### Kingdom of Saudi Arabia Bureau of Investigation and Prosecution



The Ombudsman met with a delegation from the Bureau of Investigation and Prosecution in the Kingdom of Saudi Arabia.

The Ombudsman explained the role and responsibilities of his Office in relation to complaint investigations and the monitoring of detention and rehabilitation centres. He discussed his first two Annual Reports and answered questions from the delegation about the performance information included in the Reports and about the investigation and evidence gathering procedures implemented by the Ombudsman Office.

### United Arab Emirates Judicial Department



On 19 October 2015 the Ombudsman received a delegation from the Judicial Department of the United Arab Emirates. The delegation was interested to understand the scope of the Bahrain Ombudsman Decree and the role of the Office in investigating complaints, serious allegations and deaths in detention. The Ombudsman explained also the policies, procedures and systems now operated by the Office to deliver investigative independence and the arrangements for referring cases for criminal investigation.

### Deputy US Assistant Secretary of State Democracy, Human Rights and Labour



On 2 November 2015, the Ombudsman and members of his team welcomed a delegation led by the Deputy US Assistant Secretary of State Democracy, Human Rights and Labor, Ms. Dafna Rand, to his office. The Ombudsman explained the work carried out by his office over the previous two years to promote respect for human rights and to ensure the delivery of lawful, professional, just policing. He described also the efforts made to build confidence in the independence and integrity of the Ombudsman Office both locally and internationally.

### Gulf Cooperation Council (GCC)



On 21 December 2015, a delegation representing the Reform and Rehabilitation Department of the Gulf Cooperation Council (GCC), visited the Kingdom of Bahrain to participate in the activities of the fourth GCC "Inmate Week" entitled «Together to Achieve Reform.» During their stay in Bahrain, members of the delegation visited the Ombudsman Office to discuss opportunities for sharing experience and skills relevant to the development of progressive, rehabilitative regimes and care programmes in places of detention and rehabilitation.

### Commission of Human Rights at the Council of Representatives



The Ombudsman met with the Commission of Human Rights at the Council of Representatives (the lower house of the bicameral parliament) a number of times during the last year. The Ombudsman discussed a government proposal to draft an integrated national strategy for responding to human rights reports about Bahrain. The Commission stressed their support and their readiness to cooperate.

### Swedish Secretary of State



On 15 February 2016, the Ombudsman met with Sweden's Secretary of State for Foreign Affairs Ms. Annika Soder. This was the first visit by an official Swedish delegation to the Ombudsman Office and the Ombudsman said that the meeting was particularly welcome because Sweden, who appointed its first Ombudsman in 1809 as required by its constitution, was the first country in the world to have an Ombudsman.

Ombudsman Al Moawda explained that his Office was the first of its kind in the region and had been created to independently investigate complaints, serious allegations and deaths in detention and to monitor rehabilitation and detention centres. He said that this was part of a commitment to ensuring the delivery of human rights centred policing and other services by Ministry of the Interior staff.

The Ombudsman also described the ways in which his Office has developed its relationship with international and European institutions relevant to its legal functional and community confidence building mission. The Ombudsman said that he was very keen to have

ongoing communication and engagement with officials and diplomats at the international level and that his Office always welcomed and valued the opportunity to learn from the expertise and experience of other organisations and Ombudsmen working in the field of monitoring and investigation.

### Office of the United Nations High Commissioner for Human Rights



The Ombudsman met with a delegation from the Office of the United Nations High Commissioner for Human Rights (OHCHR) on 17 February 2016. The delegation was visiting Bahrain to explore opportunities for technical cooperation and capacity building development between the Kingdom of Bahrain and the OHCHR

The meeting with the Ombudsman was an opportunity to discuss issues of shared concern and related complaints and allegations reviewed by the Ombudsman Office. The two sides also discussed the arrangements put in place by the Ombudsman Office to deliver international best practice investigation standards and to deliver a professional, independent service. Arrangements for monitoring rehabilitation and detention centres; international cooperation and staff training were also discussed.

Members of the Commission of Human Rights at the European Parliament in Brussels and a Visit to the Oldest Office of Grievances in Stockholm.



In April 2016 a delegation from the Ombudsman’s Office visited the Kingdoms of Sweden and Belgium. In Sweden, the delegation met with the Minister of State for Foreign Affairs; visited the Chancellor of Justice, which is the oldest grievances office in the world and visited the Office of the Parliamentary Ombudsman. The visit was of great interest to the Ombudsman delegation.



In the Kingdom of Belgium, the delegation met with members of the Commission on Human Rights in the European Parliament. The Ombudsman explained the functions of his Office and its role in ensuring accountability and respect for human rights. The delegation met also with the General Coordinator for the Middle East and North Africa at the European Union.

### Training & Development:



- ▷ Investigators are trained in the application to investigations of the Regulations for the implementation of the Bahrain Law of Reform and Rehabilitation Institute.



- ▷ The Deputy Ombudsman attended the 14th Asian Ombudsman Association Conference and 17th AOA Board of Directors Meeting in Islamabad, Pakistan from 24-25 November, 2015



- ▷ Investigators attended a workshop on the Police Code of Conduct and the investigation of misconduct delivered by an expert consultancy team from Northern Island.



- ▷ Students of the legal clinic at the College of Law at the University of Bahrain attend an Ombudsman lead workshop.



- ▷ Ombudsman workshop for university students training at the Legislation & Legal Opinion Commission.









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