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**At the Supreme Court**  
**Sitting as the High Court of Justice**

**HCJ 7984/11**

In the Matter of: **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger – RA**  
Represented by counsel, Adv. Daniel Shenhar et al. of  
HaMoked: Center for the Defence of the Individual,  
founded by Dr. Lotte Salzberger  
4 Abu Obeida St., Jerusalem, 97200  
Tel: 02-6283555; Fax: 02-6276317

**The Petitioner**

**v.**

**The Israel Prison Service**  
Represented by counsel Adv. Nohi Ben Or  
of the State Attorney's Office,  
Ministry of Justice, Jerusalem

**The Respondent**

**Response of the Petitioner to the Updating Notice**  
**of the Respondent**

The following is the response of the Petitioner to the updating notice of the Respondent, in accordance with the decision of the Honorable Court of December 7, 2014:

1. The petition, submitted on October 31, 2011, concerned the harsh and unlawful conditions of confinement that existed at the time in the Respondent's detention facility in Petah Tikva, which serves as an interrogation facility for persons suspected of "security offenses".
2. Following the submission of the petition, the Respondent decided to shut down the aforementioned facility for renovation, which was fairly comprehensive, as described in the updating notice submitted by the Respondent on December 4, 2014. Two official reports of inspections carried out by state authorities in the facility were appended to the notice. All of this demonstrates that the Respondent himself does not dispute the fact that the holding conditions that existed at the Petah Tikva facility prior to the renovation failed to meet the standards (themselves minimal) stipulated by law for detainees undergoing interrogation for "security offenses".

3. We see that the little light that was shed on the Petah Tikva facility brought about a necessary change in the holding conditions in the facility. It must be ensured that this beam of light continues to be directed at the facility and is not be diverted from it. Should external scrutiny become lax, the holding conditions at the facility may again relapse to what they were prior to the renovation. Anyone can see that in a facility where those suspected of the worst offenses undergo interrogation by Israel Security Agency (ISA) interrogators, with most interrogees prevented from meeting with counsel, the temptation to make matters more difficult for the interrogees by means of holding conditions that contravene the law is strong. Therefore, the need for ongoing external scrutiny is acute and significant.
4. Hence, the request of the petitioner that the Honorable Court order the Respondent, and other state authorities that are also responsible for this matter to ensure **that each and every year, at least one official inspection visit is made to the Petah Tikva facility by official external visitors who are independent of the Respondent**, like the official visits that took place at the facility in September 2013 and July 2014.
5. These reports reveal that although many deficiencies were discovered in the incarceration conditions in the facility during the September 2013 visit, most were apparently rectified by the July 2014 visit. Therefore, it is important to ensure that these visits continue in the same format, so that the authorities can verify that conditions in the facility do not relapse to what they were prior to the renovation. In addition, **we request that the Petitioner receive copies of the inspection reports that are as complete as possible.**
6. Finally, the third remedy requested in the petition concerned the matter of ensuring that interrogees are transferred to the Respondent's "regular" detention facilities as soon as is possible following the conclusion of the interrogation. We will recall that at the time the petition was filed, the situation relating to this matter was dire and, as indicated by the testimonies appended to the petition, detainees were held at the facility in deplorable conditions for many weeks following the conclusion of their interrogation.
7. The Respondent indicates in paragraph 11 of his updating notice that "as a rule there were no delays in the transfer of detainees to a general wing of an IPS facility after notice was given regarding the completion of a detainee's".
8. It is clear that in relation to this issue, state authorities must also continue to ensure the transfer of detainees immediately following the conclusion of their interrogation. In light of this, we request that the Honorable Court order the Respondent to provide an update on **whether, in the months that passed since the last examination of the matter, the Respondent continued to diligently ensure that detainees are transferred immediately after their interrogation is concluded.** In addition, we request that the aforementioned reports of the annual visits also refer, *inter alia*, to this issue, and that at the same time ongoing monitoring of the status of the transfer of detainees during the year that preceded the submission of the report is be conducted.

9. In summary, the Petitioner requests that the Honorable Court deliver its orders to the Respondent as requested in the above paragraphs 4 and 8.

Jerusalem, 24 December 2014.

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Daniel Shenhar, Adv.  
Counsel for the Petitioner

(T.S. 61344).