



Õiguskantsler

Ministry of Justice
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Deaths in prisons

In the period from 1 September 2020 to 1 September 2021, seven people died in Estonian prisons. Five people died due to health problems and two people committed suicide. No killings have occurred in prisons since 2011. The circumstances of death as a result of a health problem or a serious illness did not arouse suspicion and no investigation into them was initiated. The two incidents of suicide were effectively investigated by prisons.

The prison internal audit service investigated the circumstances of both suicides within administrative supervision proceedings. In one case, the prison initiated disciplinary proceedings in respect of an officer, in the course of which the work of the officer on duty at the time of the death was thoroughly investigated. It was ascertained that the officer breached their official duties and a disciplinary sanction was imposed for this. At the same time, no causal link was found between supervision and the suicide.

The internal audit service offered recommendations on how to prevent deaths. The recommendations primarily concerned the speed of response to life-threatening events and the skill of using technical equipment. It was found that cooperation between different prison officers and the prison medical staff needs to be improved. Attention was also drawn to the fact that a prisoner must receive decisive assistance (e.g. an appointment with a psychiatrist) even while they stay in medical isolation upon arrival in prison. It was admitted that information exchange between different establishments (e.g. police detention centre, court, prison, and the like) must be improved.

The Ministry of Justice also explained that a revised version of guidelines on prevention of suicides in prisons was approved in December 2021 and that plans are underway for training prison officers as well as medical staff on this topic.

I find that harmonisation of guidelines for conduct and training of officers is extremely important. I also consider recommendations by the prison internal audit service as a result of investigation of suicides necessary and relevant.

However, once again I will draw attention to the shortage of prison officers, which has already lasted a long time. Effective supervision means that, in addition to exercising visual supervision

in accordance with the rules, prison officers also have time to get to know people in their care and observe their behaviour and condition. In order to establish meaningful contact with a person, communication merely during roll-call, food serving, or the like, is not sufficient.

Meaningful contact is especially important when a person is in solitary confinement. On several occasions (most recently in the summary of an inspection visit to Viru Prison in [2021](#)), I have drawn the attention of prisons and the Minister of Justice to the fact that the risk of self-harm and suicide increases during solitary confinement, and I have asked that alternatives to solitary confinement be sought.¹ The issue of freedom of movement and possibilities for communication by remand prisoners needs a quick solution since to date exceptionally all remand prisoners are locked in their cells, i.e. essentially placed in solitary confinement (§ 90 subs. (3) (first sentence) and subs (5) of the [Imprisonment Act](#)).

The incidents of death analysed also indicate that prisons are in dire need of specialists with mental health nursing knowledge and skills. The same observation was also made by the psychiatrist participating as a healthcare expert in the [2021](#) inspection visit to Viru Prison. The expert found that in an establishment of the size of Viru Prison (i.e. also Tallinn and Tartu Prisons which are of the same size) mental health nurses are definitely needed on site to support non-specialised doctors and nurses. According to the expert's assessment, an inter-prison psychiatric team should also be created to help make mental health services more accessible in prisons. Such a team could counsel non-specialised prison doctors and nurses, including online and via video link.²

I expect feedback to my recommendations by 30 October 2022 at the latest.

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Copy: Tallinn Prison, Tartu Prison, Viru Prison

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¹ See e.g. the summary of the Chancellor's [2021](#) inspection visit to Viru Prison and the sources cited therein.

² See e.g. para. 10 of the summary of the Chancellor's [2021](#) inspection visit to Viru Prison.