

Inspection visit to Tartu Prison

From 24 to 26 November 2016, the advisers of the Chancellor of Justice made an announced inspection visit to Tartu Prison. The aim of the visit was to get an overview of the detention conditions of the prison and to follow the practices upon ensuring the rights of the detainees.

The advisers of the Chancellor of Justice had confidential conversations with 42 detainees, talked to various officials of the prison, took a tour in the territory and on the premises of the prison, and observed the organisation of a family visit day in the prison. Two medical experts were involved in the inspection visit and together with them the detainment conditions and regime of the mothers-children ward and of the psychiatric ward were inspected more closely. They also conducted random checks of documents. The Chancellor of Justice inspected Tartu Prison the last time in [2013](#). The psychiatric ward of the prison was also inspected in [2013](#).

The advisers of the Chancellor of Justice observed that the management and staff of Tartu Prison wanted to create a tension-free atmosphere and achieve good contact with the detainees. Officials were looking for ways for improving the detainment conditions. They also tried to find flexible and reasonable solutions for problems (e.g. the daily plan of the mothers-children ward, etc.).

Unfortunately, not everything in Tartu Prison was satisfactory.

In the prison's mothers-children ward where the mothers are serving a sentence with children up to the age of three years (included), the women can get work, but they do not have a chance to participate in education or social programmes. It is worth considering the creation of the respective opportunities, because these support the skills of lawful life in freedom.

During the inspection visit the inspectors came to suspect that pregnant detainees are handcuffed while being sent to give birth and returning from the hospital. Prison officers attend the labour and sometimes also male officials are 24 hours a day with the detainee in a post-labour hospital room. The Chancellor of Justice finds that using handcuffs upon transporting a detainee to give labour and back from the hospital is an exaggerated safety measure. The presence of officials at the labour is highly questionable and the presence of a male prison official in the post-labour hospital room is intolerable. The Chancellor of Justice asks the prison to ensure the supervision of women giving birth with other means.

The Chancellor of Justice asks that the observations made by the expert who visited the mothers-children ward be taken into account, i.e. that the family doctor of the child be given access to the child's digital health records, also to the formation of the relationship between the child and the mother, but not later than by the time small children are about to leave the prison, they need to be psychologically and socially prepared with the help of a child psychologist.

Regarding other detainees the Chancellor of Justice asks that the contents of the set of hygienic supplies given to detainees who do not have sufficient funds be assessed and the frequency of providing these examined. The privacy of hygienic procedures in waiting and observation cells should be ensured and also all detainees should be given the opportunity to dry their laundry.

The organisation of provision of food and drink deserves assessment. Due to the nearly 14-hour period between supper and breakfast, the Chancellor of Justice asks that the opportunity to offer the detainees supper that has a higher calorie content or an afternoon snack be considered.

In conversations with Russian-speaking detainees it became evident that they needed information on what was going on in society, because the last Russian-language national newspaper terminated paper publication in October 2016.

The prison offers detainees and persons close to them the opportunity for short meetings without separation in the so-called family days. Non-separated meetings should also be possible in individual meetings between the detainee and persons close to them. These are especially important between children who live in the prison and their free parent, family and persons close to them.

Instead of demanding that persons who have come for a longer meeting undress themselves completely, the prison should consider less intensive measures (scanners, etc.) and change the search practice.

The Chancellor of Justice asks the prison to assess if the prison clothing is also sufficient for staying outside in the cold season and recommends that the prison install benches in the part under the roof in the walking yard of Building E.

Detainees who have a physical disability, e.g. are using a wheelchair, currently have difficulty accessing various parts of the prison (including, for instance, the medical ward). The Chancellor of Justice requests that such detainees be placed in cells adjusted to their needs and that obstacles to their movement in the rooms and territory of the prison be removed.

A report on the use of physical force, a service weapon, special equipment or a control measure and examination of the state of health of an offender should as accurately as possible record data on a medical examination.

The biggest problem of the psychiatric ward is the constructional unfitness of the ward for provision of the required psychiatric care: there is a lack of room for organising therapy, the possibilities of staying outdoors are limited. The Chancellor of Justice requests that the opportunities of the patients of the psychiatric ward for therapeutic activities be diversified. The need to keep detainees placed in the psychiatric ward under constant video surveillance, which at times intolerably violates the privacy of the persons, must be seriously weighed.