

## **Inspection visit to Tartu Prison and the psychiatric ward of prisons**

On 26–28 November 2020, the advisers of the Chancellor of Justice inspected Tartu Prison at short notice.

The visit focused on the situation of people in solitary confinement. Advisers to the Chancellor of Justice spoke to prisoners in solitary confinement and persons in custody in solitary confinement during the visit; interacted with prison officials and staff and toured the prison territory and premises. Random document checks were also carried out. A psychiatrist and a family doctor were involved in the visit as health care experts. The Chancellor of Justice inspected Tartu Prison the last time in 2016.

The prison's willingness to co-operate, smooth operation and provision of professional explanations during and after the visit is commendable.

The prison's efforts to ensure that prisoners with special needs have the opportunity to exercise the right to communicate with their family and relatives provided for in § 23 of the Imprisonment Act must be acknowledged as well. The prison arranged a video meeting for the prisoner, who, due to their special needs and restrictions on meetings, had no other opportunity to communicate with relatives. The warden confirmed that the video call could be conducted securely through the Skype for Business application used in the prison and that such a meeting did not require special preparation, costs or technical upgrades.

It is also commendable that Tartu Prison has changed its previous practice<sup>1</sup> and allows prisoners and persons in custody to follow their own religious and worldview diets, as long as it does not require much effort or expense from the prison. According to the senior chaplain of the prison, the possibilities of persons receiving special food on the basis of subsection 3 of § 47 of the Imprisonment Act to purchase food (e.g. meat, etc.) from the prison shop are not restricted.

Walking conditions in the prison's psychiatric ward have also improved. The ward now has a spacious walking area with a net fence, which also has exercise equipment.

Unfortunately, not everything in Tartu Prison complies with the law and international requirements.

Until now, the expansion of the opportunities for movement and communication of persons in custody has been without a solution for a very long time. More attention needs to be paid to assessing the health status of people in solitary confinement and providing them with meaningful communication. Another problem is that inmates often have to serve too long in a punishment cell. The assessment of the need to use a separate locked chamber needs to be clearer. Prisoners should be given medicinal products prescribed by a doctor only by healthcare professionals. Standard and punishment cell conditions need to be improved. There are problems with the application and documentation of immediate coercion.

The organisation and conditions of life in the prison should, among other things, serve the social reintegration of prisoners. Learning opportunities, maintaining family ties and keeping up to date with what is happening in society significantly increase the possibility that a person will start or continue a law-abiding life once released. Thus, the prison has a major role to play in making society safer, reducing recidivism and at the same time reducing the cost of imprisonment.

Prisoners and persons in custody should also be able to communicate with their families and children via video call, otherwise out-of-prison ties which would help to live a law-abiding life when released will be broken. Conditions that do not encourage prisoners and persons in custody to meet with their relatives must be reviewed and the automatic ban on visits associated with placement in a punishment cell must be abolished. Following the reform of the library, access to books has diminished, so consideration should be given to making books more accessible to prisoners again.

The situation in the prison's psychiatric ward has remained the same for years. Several of the Chancellor of Justice's previous recommendations have not been complied with.

Many of the requirements governing the appearance of a prison officer are also excessive, especially given the persistent shortage of officials in prisons and the difficulty of finding the best qualified, competent, reliable and motivated people.

As the identified problems are multifaceted and many solutions require changes in legislation, the recommendations are addressed to both the prison and the Ministry of Justice, which governs Tartu Prison and is competent to prepare draft acts related to prison law.