



**S|OM**

**The Parliamentary Ombudsman Norway**

**National Preventive Mechanism against  
Torture and Ill-Treatment**

## **VISIT REPORT**

**- Summary and Recommendations**

**Bjørgvin prison's  
juvenile unit**

**11 February and 22 April 2015**



# BJØRGVIN PRISON'S JUVENILE UNIT

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## **Report Summary and Recommendations from the National Preventive Mechanism's Visit to Bjørgvin Prison's Juvenile Unit<sup>1</sup>**

**11 February and 22 April 2015**

### **The Parliamentary Ombudsman's preventive role**

After Norway's ratification of the Optional Protocol to the Convention against Torture (OPCAT) in the summer of 2013, the Parliamentary Ombudsman was given a mandate to prevent torture and other cruel, inhuman or degrading treatment or punishment.<sup>2</sup> To fulfil this mandate, a special unit called the National Preventive Mechanism (NPM) was established in the Parliamentary Ombudsman's office.

Representatives of the NPM make regular visits to locations where people are deprived of their liberty, such as prisons, police custody facilities, psychiatric institutions and child welfare institutions. The visits may be announced or unannounced.

On the basis of these visits, recommendations are issued with the aim of preventing torture and other cruel, inhuman or degrading treatment or punishment.

The Parliamentary Ombudsman, through the NPM, is authorised to enter all places of detention and to engage in private conversations with those who have been deprived of their liberty. The NPM also has access to all essential information relating to detention conditions. Through independent observation and dialogue conducted during its visits, the NPM seeks to uncover risk factors that could open the way for abuses to occur. Conversations with persons deprived of their liberty are given special priority.

The NPM also conducts extensive dialogue with national authorities, civil society groups and international human rights bodies.

### **Summary**

On 11 February 2015, the Parliamentary Ombudsman's National Preventive Mechanism (NPM) made an announced visit to Bjørgvin Prison's Juvenile Unit. The visit started with a meeting with the prison administration. The meeting was followed by an inspection of the units' premises. This included an inspection of the unit's cells, day rooms, communal areas, visiting rooms, visiting apartment, outdoor areas and the security cell. The NPM talked with the health department and psychology service, and also had some informal conversations with other staff in the unit.

The Juvenile Unit had one inmate at the time of the visit. The inmate did not wish to speak with the NPM. The visit concluded with a summing-up meeting with the administration, at which preliminary findings and recommendations were presented.

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<sup>1</sup> You can find the full visit report in Norwegian on the NPM's website: <https://www.sivilombudsmannen.no/reports/category2967.html>.

<sup>2</sup> The Parliamentary Ombudsman Act § 3a.

The NPM subsequently made an unannounced visit to the Juvenile Unit on 22 April 2015, during which it spoke with the youths who were inmates of the unit. The NPM also reviewed relevant records and decisions. The review included all written decisions on exclusion from company in 2014 and 2015 to date, and the single instance in which the security cell had been used in 2014.

The NPM's general impression is that the Juvenile Unit is administered and run in a sound manner. The unit appears to have adequate professional and staff resources to address the youths' individual needs within the Correctional Services framework. At the same time, the new premises are very different from the old premises at Bergen Prison, with buildings that are more adapted to the needs of the target group. The administration seems to be aware of the professional and ethical challenges they face in their work with these youths. With a small number of inmates, however, there are challenges involved in letting them socialise with their peers.

During the visit, the use of coercive measures was focused on in particular. The unit's security cell differed from the security cells of other prisons in that it was significantly larger, had parquet flooring rather than a concrete floor, and a large window providing a view of the natural surroundings. The NPM emphasises that, if the use of a security cell is absolutely necessary, clear records should be kept in the supervision log of continuous supervision and re-evaluation of whether the grounds for continuing the measure still exist.

According to the prison administration, they sought, as far as possible, to avoid exclusion from company. The Juvenile Unit should continue to seek to avoid the exclusion of juveniles.

In general, the Juvenile Unit appears to have highly competent resources and to be capable of meeting the youths' individual needs and involve them in meaningful activities, within the framework set by the prison situation.

## **Based on its visits, the National Preventive Mechanism finds that there are grounds for issuing the following recommendations:**

- When security cells are used, clear records should be kept in the supervision log of continuous supervision and re-evaluation of whether the grounds for continuing the measure still exist.
- The Juvenile Unit should continue to seek to avoid the exclusion of juveniles.
- Pursuant to the Execution of Sentences Act, decisions on exclusion from company should always include the full grounds for the decision and which less intrusive measures were considered. Decisions should be made on discontinuation of the exclusion and an overview should be kept of all exclusions and their duration.
- The Juvenile Unit should inform the youths that the communal areas are being monitored.
- Transfer to the Juvenile Unit should always be considered for inmates who are under 18 years of age. The correctional services, the police, child welfare service and other relevant parties should be adequately informed about the Juvenile Unit. The correctional services and the police should always inform the Juvenile Unit immediately when juveniles are remanded in custody.



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