



SIVILOMBUDSMANNEN
Norwegian Parliamentary Ombudsman

VISIT REPORT

SUMMARY AND RECOMMENDATIONS

**Ullersmo Prison,
Juvenile Unit East**

7-8 February 2017



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



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1 The Parliamentary Ombudsman's prevention mandate

Based on Norway's ratification of the Optional Protocol to the UN Convention against Torture, the Parliamentary Ombudsman has been given a special mandate to prevent torture and other cruel, inhuman or degrading treatment or punishment.¹ To fulfil this mandate, a special unit known as the National Preventive Mechanism (NPM) was established in the Parliamentary Ombudsman's office.

The NPM makes 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 can be announced or unannounced.

Based on these visits, the NPM issues recommendations with the aim of preventing torture and other cruel, inhuman or degrading treatment or punishment.

The Parliamentary Ombudsman, represented by the NPM, has right of access to all places of detention and the right to speak privately with people deprived of their liberty. The NPM also has right of access to all essential information relating to detention conditions. During its visits, the NPM seeks to identify risk factors for violations through independent observations and through conducting interviews with the people involved. Interviews with persons deprived of their liberty are given special priority.

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

¹ Act relating to the Parliamentary Ombudsman for Public Administration Section 3(a).

2 Summary

The Parliamentary Ombudsman's National Preventive Mechanism (NPM) visited Ullersmo Prison, Juvenile Unit East, on 7–8 February 2017. The date of the visit was not announced. Ullersmo Prison's Juvenile Unit East is a high security prison with four places for inmates aged between 15 and 19 years. The visit covered the whole unit.

The juvenile unit's management and other staff members were forthcoming throughout the visit.

Ullersmo Prison's Juvenile Unit is one of two prisons in Norway for juvenile inmates. The other one is Bjørgvin Prison's Juvenile Unit, which was established in 2009.

Ullersmo Prison's Juvenile Unit East opened on 12 April 2016. At the time of the visit, the unit was only approved to hold two inmates. This was due to fire safety issues identified in October 2016. Statsbygg had been given until 1 April 2017 to remedy the situation.

In accordance with the Norwegian Correctional Service's project description, the juvenile units' basic staff included both prison officers and milieu therapists. At the time of the visit, a total of 25 employees were working in shifts. An interagency team had been established at the juvenile unit.

The management and employees who form part of the basic staff wear uniforms in their everyday work, except when they participate in leisure activities such as exercise or escort inmates on leave outside the unit. It emerged during the visit that the employees found the use of uniforms unnecessary and an obstacle to developing good relations. It also emerged that the duty to wear a uniform made normal activities for the juvenile inmates more difficult because the officers had to change for physical activities such as ball games in the outdoor areas.

In accordance with a decision by the Norwegian Correctional Service's regional office, the juvenile unit had sometimes had to place juvenile inmates in prisons for adults while waiting for a place at the juvenile unit to become available. This is in violation of the UN Convention on the Rights of the Child, which states in Article 37 (c) that every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so. At the time of the visit, three juvenile inmates were in this situation. Juvenile Unit East emphasised that this was a temporary measure pending the opening of the other two places at the unit. The interagency team at the juvenile unit was responsible for attending to these juveniles while they were temporarily placed in other prisons.

The layout and furniture of the juveniles' cells appeared well planned and practical. There were no window bars. The communal areas were spacious with good access to natural light and views of the natural surroundings. The communal kitchen was closed to the juveniles except during fixed food preparation times and communal meals. One of the cells was adapted for persons with disabilities.

The visit left the impression that the juvenile unit focused on welcoming the juveniles and creating secure relations and good dialogue from the start of their stay. It was a positive factor that the juvenile inmates were always given the name of their contact officer in writing.

However, the information booklet handed out to the juvenile inmates on admission was not well suited for the target group – it was formal and inaccessible. There was no written information about the juvenile unit's routines and rules in any language other than Norwegian.

According to documentation submitted by the juvenile unit, use of force was rare.

It emerged that the psychologist worked to prevent violent incidents and use of coercive measures through work with the juveniles and guidance of the staff.

The staff appeared to be aware of the importance of preventing the use of force. No information emerged about other specific conflict prevention methods used by the staff.

The use of security cells for juvenile offenders is a highly invasive measure that is potentially very harmful. Juvenile Unit East had one security cell. At the time of the visit, the security cell was not approved by the Directorate of the Norwegian Correctional Service, and it had not been used. The security cell appeared much like an ordinary security cell in prisons for adult inmates. This contrasted with the security cell at Bjørgvin Prison's Juvenile Unit, which during the visit to that unit was found to have been designed to minimise the strain on juvenile inmates and give a more humane impression.

Juvenile Unit East had a separate segregation unit. It was stated during the visit that it had been used once for a period of two days. The NPM's review of documents showed that decisions were made and supervision carried out and logged.

At the time of the visit, Juvenile Unit East had not prepared its own procedures for body searches. From a preventive perspective, fixed procedures are important in order to ensure that body searches are conducted in the gentlest possible way. It emerged that female staff had been present during body searches of male juveniles on several occasions. At a meeting with the management, the NPM was told that the use of female staff to search male juveniles would be discontinued.

It also emerged during the visit that the juvenile inmates were locked in their cells several times during the day, for example when they were not participating in outdoor exercise or preparing food. It is food for thought that the unit considers it necessary to lock inmates in their cells in this way despite the unit's good staffing level.

According to the unit's weekend routines, juvenile inmates who are locked in their cells both during outdoor exercise and while the food is being prepared will spend six hours outside their cell per day. This is less than recommended by international guidelines, and gives particular cause for concern since these inmates are juveniles.

It emerged that it varied whether the juvenile inmates were given the opportunity for outdoor exercise every day. A contributory cause of this was that the outdoor area was so poorly lit that the prison did not consider outdoor exercise in the afternoon sufficiently secure during the winter months.

The health service appeared to function well, and the health personnel seemed to demonstrate a good understanding of their role in connection with any use of coercive measures.

The schooling appeared to function well. No work activities were offered at the juvenile unit.

There were a total of three visiting rooms at the juvenile unit. They were all sparsely furnished and not very welcoming. None of the visiting rooms had access to children's toys for visits by young

siblings or were adapted for prolonged visits, despite the fact that the regulatory framework allows for juvenile inmates to receive visits over several days.

Juveniles under the age of 18 had the opportunity to call their next of kin and friends for a total of one hour per week. This is half the telephone time that juvenile inmates at Bjørgvin prison are allowed.

Recommendations

Admission procedures

Information on admission

- Juvenile Unit East should ensure that written information is available in a form adapted to juveniles.
- Juvenile Unit East should ensure that information material is available for juveniles who do not speak Norwegian.

Invasive coercive measures

Security cell

- Juvenile Unit East should ensure good colour contrasts in the security cell and find a solution that does not involve pushing food into the cell at floor level.

Body searches

- Juvenile Unit East should ensure that only staff of the same gender as the inmate are present during body searches of juvenile inmates.
- Body searches involving full removal of clothing before confinement to a security cell should only be carried out following an individual risk assessment, which should be recorded in the supervision log.
- Body searches should be carried out in stages, so that the juveniles are given an opportunity to cover up their upper body before removing the clothes on their lower body.

Work, school and activities

Possibility for outdoor exercise

- The prison should ensure that all inmates are allowed at least one hour of outdoor exercise a day.

Routines for locking inmates in their cells

- Juvenile Unit East should ensure that juvenile inmates have the opportunity to spend at least eight hours outside their cells every day, including at weekends.

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