



SIVILOMBUDET
Norwegian Parliamentary Ombud

SPECIAL REPORT TO THE STORTING ON EXTENSIVE CELL CONFINEMENT AND DE FACTO ISOLATION IN NORWEGIAN PRISONS

Document 4:1 (2024/25)





SPECIAL REPORT TO THE STORTING ON EXTENSIVE CELL CONFINEMENT AND DE FACTO ISOLATION IN NORWEGIAN PRISONS

Document 4:1 (2024/25)

Content

PART I	Background	6
1	Growing concern about the situation in prisons	7
2	Prison visits in 2023 and 2024	9
Part II	Serious findings from 10 high-security prisons	12
3	Legal foundations	13
4	What causes confinement and isolation?	17
4.1	Introduction	17
4.2	Severe deficiencies in daily activity program	18
4.3	Lack of communal facilities	20
4.4	Staff shortages cause extensive cell confinement	22
5	Extensive cell confinement and de facto isolation	23
5.1	Compliance with the minimum standard of 8 hours of time out of cell	23
5.2	High risk of de facto isolation	25
5.3	The risk of normalising extensive in-cell confinement	27
6	Consequences of extensive cell confinement	28
6.1	Risk of harm to inmates' health	29
6.2	Many inmates are negatively affected by prolonged cell confinement	30
6.3	Symptoms of isolation-related harm	30
6.4	Extensive cell confinement particularly affects young inmates and inmates struggling with mental illness	32
6.5	Some inmates are "forgotten" by the prison and health services	32
6.6	Risk that extensive cell confinement becomes normalised	33
6.7	Lack of time to cover basic needs	33
6.8	Increased risk of conflict and coercion	35
6.9	Increased risk of self-isolation	37
6.10	Unequal treatment across prisons	38
6.11	A high burden on prison staff	38
Part III	Conclusion	40
	Appendix: Government follow-up on the Special Report to Parliament on Isolation and Lack of Human Contact (2019)	43

To the Storting,



Nearly six years ago, in a special report to the Norwegian Parliament, the National Preventive Mechanism (NPM) at the Parliamentary Ombud alerted the Storting about the extensive use of solitary confinement and the lack of meaningful human contact in Norwegian prisons. This report led to broad recognition within the Correctional Services that solitary confinement is an intrusive and harmful measure, and that too many inmates were held alone in their cells for long periods each day. It also highlighted major weaknesses in the monitoring of isolated inmates and in the justice authorities' data systems and oversight mechanisms on the issue. In its deliberation, the Storting

emphasized that the findings painted a serious picture on the use of solitary confinement in Norwegian prisons, revealing a significant risk of inhuman or degrading treatment.

Since then, the Correctional Services have implemented several measures to reduce the use of solitary confinement and to improve the monitoring of inmates placed in isolation.

Despite these developments, our investigations of ten high-security prisons in 2023–2024 indicate that the challenges related to inmates being confined or de facto isolated in their cells persist and remain highly concerning. Our findings show that a substantial number of inmates spent less than eight hours per day outside their cells. While some isolated inmates now receive slightly better follow-up than before, many still spend long periods of time confined due to general factors within the prison. Several of these inmates live under conditions that amount to effective isolation. In some prisons, we found that inmates were locked in for 19 to 22 hours daily, without this being a result of their own behavior or a formal decision. In some cases, this exceeded 22 hours. When such conditions arise as a result of normal operational practices, a significant number of inmates may face inhuman or degrading treatment and other human rights violations.

Persistent staffing shortages, building deficiencies, and rising costs have placed severe pressure on prison operations. These findings point to a troubling trend with serious implications for inmates.

At its core, this report concerns the conditions of daily prison life, and what is required to ensure humane treatment and help sentenced individuals prepare for a law-abiding life after release. These are fundamental objectives for imprisonment in Norway and they matter not only for inmates but also for their families, crime victims, and society at large.

This report examines the situation of inmates who are locked in for large portions of the day without any decision been made by a court or the prison itself. While we remain concerned about individual isolation decisions and their follow-up, the current resource crisis in high-security prisons now affects all inmates, not just those formally placed in isolation.

For this reason, the Parliamentary Ombud is again submitting a special report to the Storting.

Oslo 04.03.2025

Hanne Harlem
Parliamentary Ombud

A handwritten signature in blue ink that reads "Hanne Harlem".

The Parliamentary Ombud's prevention mandate

The prohibition against torture and other cruel, inhuman or degrading treatment or punishment is enshrined in several international conventions that are binding for Norway.

At the core stands the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention against Torture), which was adopted in 1984. The same prohibition is reflected as well in the International Covenant on Civil and Political Rights (Article 7), the Convention on the Rights of the Child (Article 37), the Convention on the Rights of Persons with Disabilities (Article 15), and the European Convention on Human Rights (Article 3). Norway is a party to all these instruments. The Norwegian Constitution also establishes a prohibition against torture and inhuman or degrading treatment in Article 93, second paragraph.

Persons deprived of their liberty are particularly vulnerable to violations of the prohibition against torture and inhuman treatment. This is why, in 2002, the United Nations adopted an Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Protocol requires states to establish a body to prevent torture and other cruel, inhuman or degrading treatment or punishment of persons deprived of their liberty.¹ A dedicated National Preventive Mechanism has been established within the Parliamentary Ombud to carry out this task.

The Ombud has the right to access all places where people are, or may be, deprived of their liberty.² This includes, among others, prisons, police custody facilities, psychiatric institutions, and child welfare institutions. Visits may be announced or unannounced. The Ombud also has access to all relevant information concerning how deprivation of liberty is carried out.

The risk of torture or inhuman treatment is influenced by factors such as legal and institutional frameworks, physical conditions, training, resources, leadership, and institutional culture. Effective prevention therefore requires having a broad approach.

The Ombud's assessments of conditions that may pose a risk of torture or inhuman treatment are based on a wide range of sources. During visits, the National Preventive Mechanism examines conditions on site through observation, interviews, and review of documentation. Private interviews with persons deprived of their liberty are a particularly important source of information, as they offer first-hand insight into their living conditions. Interviews are also conducted with staff, management, and others. Documentation such as guidelines, decisions, logs, and health records is collected to further clarify the situation.

After each visit, a report is prepared containing findings and recommendations on how the institution can prevent torture and other cruel, inhuman or degrading treatment or punishment. These visit reports are published on Ombud's website, and the institutions are given a deadline to inform the Ombud on how the recommendations will be followed up. These follow-up letters are also published.

In its preventive work, the Ombud maintains regular dialogue with national authorities, supervisory bodies, civil society, and international human rights mechanisms.

Note to international readers: Almost all cells in Norwegian high-security prisons are single-occupancy cells. As such, when we refer to extensive cell confinement in prisons in a Norwegian context, this also entails isolation from other inmates and prison staff.

1 See the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3.
2 The Parliamentary Ombud Act, Sections 1, 17, 18 and 19.

PART I

Background

1

Growing concern about the situation in prisons

From 2014 to 2018, the Parliamentary Ombud conducted 20 visits to high-security prisons under its mandate to prevent torture and inhuman treatment.¹ A recurring finding was that many inmates were confined alone in their cells. In response to the seriousness of these findings, the Parliamentary Ombud submitted a Special Report to the Storting in June 2019, addressing solitary confinement and the lack of meaningful human contact in Norwegian prisons (hereafter referred to as the 2019 Special Report).

The report described problems related to inmates formally placed in isolation by court or prison decision, as well as serious deficiencies in how they were followed up.² It also addressed situations where inmates were locked alone in their cells for most of the day, without any formal isolation decision and not due to their own behavior. This is referred to as *de facto* isolation. Given the risks associated with social isolation, the report emphasized that it is the actual conditions, not the legal basis, that determine the level of strain and health risk for inmates.

The report further criticized the lack of reliable data on the use of solitary confinement and noted that Norwegian legislation was not aligned with international minimum standards. It also found that supervisory boards lacked the capacity to safeguard inmates' legal rights. In its cover letter, the Parliamentary Ombud wrote:

"As the situation stands today, Norwegian authorities do not comply with international human rights standards, and people are subjected to harm from isolation."

The report led to broad recognition within the correctional services that isolation is an intrusive and harmful measure, and that far too many inmates were kept separated from others. It presented ten recommendations to improve the situation. Seven recommendations were directed at the justice sector and three at the health sector.

On 22 April 2020, the Storting unanimously called on the government to implement measures and legislative amendments to follow up the recommendations.³ This led to the launch of several initiatives by central authorities. Key developments include:

- › The Ministry of Justice and Public Security's proposal to strengthen prison oversight, which was adopted by the Storting.⁴
- › The Correctional Service's introduction of resource and activity teams to improve follow-up for isolated inmates
- › In February 2023 the Ministry of Justice and Public Security proposed to amend the Execution of Sentences Act and the Health and Care Services Act concerning association, exclusion, and coercive measures.⁵ The consultation deadline was 1 June 2023, and the Parliamentary Ombud submitted comments. As of 4 March 2025, no legislative proposal has been presented.

1 The Parliamentary Ombud Act § 3(c), cf. §§ 17–19.

2 Pursuant to § 17(1) of the Execution of Sentences Act, the Correctional Service may decide on full or partial exclusion under § 29(2) and §§ 37, 38, 39, and 40(2)(d). § 17(2) also permits exclusion in special units and units with a particularly high security level. § 45a(c) authorizes regulations on exclusion from communal activity to prevent the spread of communicable diseases in the prison in the event of an outbreak. § 186a of the Criminal Procedure Act allows full exclusion (solitary confinement) of remand prisoners by court decision.

3 Recommendation 172 S (2019–2020). Decision in accordance with the recommendation.

4 Act of 2 June 2023 No. 18 amending the Execution of Sentences Act (Supervisory Council for the Correctional Service). The amendments entered into force on 1 January 2025.

5 Ministry of Justice and Public Security, consultation on amendments to the Execution of Sentences Act and the Health and Care Services Act (exclusion and coercive measures), [date].

These measures are summarized in an annex to this report.

Negative Developments Since 2019

Despite these efforts, the Parliamentary Ombud has, since 2019, received numerous concerns from inmates, staff, and family members about the prison conditions. In 2023–2024, we therefore conducted new NPM-visits to ten high-security prisons. These investigations indicate that the authorities have not succeeded in reducing extensive confinement.

New research following the 2019 Special Report has confirmed what the Correctional Service has itself reported: the general health of the prison population has deteriorated, particularly due to a growing number of inmates with substance use disorders and/or mental illness.⁶ Several prisons report an increase in inmates with particularly challenging behavior, requiring resource-intensive security measures. There are also increasing difficulties in protecting vulnerable inmates and in preventing violence and group-based conflict. These developments further exacerbate the situation.

Topic for the 2025 Special Report

This report is prompted by serious concerns regarding these negative developments, based on findings from inspections at ten high-security prisons in 2023–2024.

The trend is especially concerning in terms of the number of inmates locked alone in their cells for large portions of the day as part of routine prison operations. As a result, these inmates are deprived of activity, structure, and social interaction. This report therefore focuses on confinement and de facto isolation as part of everyday prison life. It does not address isolation imposed by decision, either by the courts or the prison administration, nor the follow-up provided in such cases.⁷ However, the Parliamentary Ombud emphasizes that major challenges remain in the use of imposed isolation. Our findings show, among other things, that follow-up of such inmates continues to be inadequate.

We have assessed the extent to which inmates are confined to their cells for 16 hours or more per day as part of the prison's daily routine. This violates international

minimum standards, which require at least eight hours out of the cell each day. In many cases, confinement time is even longer. De facto isolation refers to situations where inmates are locked in for most of the day without disciplinary reasons or formal decisions.

The report examines matters under the responsibility of the Correctional Service. Although the 2023–2024 inspections also reviewed health services, those findings go beyond the topic of isolation and will be addressed in a separate report.

Accordingly, this report looks closer at the following two recommendations from the 2019 Special Report:

- › Establish a national standard that ensures inmates have the opportunity to spend at least eight hours per day in meaningful activity and social interaction
- › Prepare a plan for closing down or adapting all prison sections currently not adapted for association between inmates.

We also will address the recommendation we made in 2019 about the need for reliable and publicly accessible data on the use of isolation. This will be discussed in relation to time locked up in cell and de facto isolation.⁸

Part II presents and discusses the new findings about lock-up and de facto isolation in the inmates day to day life. We will point at the main structural causes to this situation and its serious human consequences, including health-related harm to inmates.

Part III summarises the risk of human rights' violations for inmates and clarifies the state's responsibility to take corrective action in light of the serious situation concerning confinement and de facto isolation.

“De facto isolation refers to situations where inmates are confined to their cells for most of the day without a decision by the court or the prison administration.”

6 SERAF, living conditions, substance use and mental health among people who have been imprisoned or served sentences in the community, report 5/2024.

7 The Parliamentary Ombud, Special Report 2019, page 18 provides a comprehensive overview of all legal bases for decisions on exclusion/isolation.

8 Special Report 2019, pages 32–35 and page 90.

2

Prison visits in 2023 and 2024

In the spring of 2023, the Parliamentary Ombud resumed visits to high-security prisons. Following an unannounced inspection at Bredtveit Prison and Detention Facility, the Parliamentary Ombud notified the Ministry of Justice and Public Security about critical and potentially life-threatening conditions at the prison.⁹ Between March 2023 and November 2024, nine full NPM visits and one limited NPM investigation were conducted at high-security prisons.

The first seven visits adopted a broad approach, examining several areas of concern. We assessed inmates' daily routines, access to activities and time out of cell, safety measures, contact with family and friends, healthcare provision, suicide and self-harm prevention,

and the use of intrusive measures such as isolation and security cells. All inspections revealed a high degree of confinement and isolation. In autumn 2024, we carried out two visits focused exclusively on confinement and isolation. We also completed a limited investigation into related challenges at Oslo Prison during the same period.

All reports are also sent in copy to the Ministry of Justice and Public Security, Ministry of Health and Care Services, Directorate of Correctional Service and Directorate of Health. Short summaries have also been sent to the Parliamentary Standing Committee on Scrutiny and Constitutional Affairs and the Parliamentary Standing Committee on Justice.



⁹ The Parliamentary Ombud, Critical and Life-Threatening Conditions at Bredtveit Prison and Detention Facility, letter to the Ministry of Justice and Public Security, 23 March 2023.

The findings in this Report are based on investigations at the following ten high-security

**2023****Bredtveit Prison and Preventive Detention Facility and Ullersmo Prison, Zulu East Unit**

- Date of visit: 13-16 of March 2023
- High-security prison for women, including places for inmates sentenced to preventive detention
- 40 places at the time of the visit

Halden Prison

- Date of visit: 17-19 of October 2023
- High security prison for men
- 228 places

Agder Prison, Froland Unit

- Date of visit: 31 of October to 2 of November 2023
- High security prison for men
- 200 places

Nordland Prison, Bodø Unit

- Date of visit 20-22 of November 2023
- High security prison for men
- 56 places

**2024****Ringerike Prison**

- Date of visit 6-8 of February 2024
- High security prison for men, including a unit with particularly high security
- 160 places

Trondheim Prison and Preventive Detention Facility, Nermarka Unit

- Date of visit 10-12 of March 2024
- High security prison for both men and women. Including a unit for sentenced to preventive detention.
- 118 places at the time of visit

Indre Østfold Prison, Eidsberg Unit

- Date of visit 9-11 of April 2024
- High security prison for men. At the time of the visit, three temporary places for minors
- Intended to provide adapted services for 25 to 40 young inmates aged 18-24
- 102 places

Ålesund Prison (thematic visit)

- Date of visit 3-5 of September 2024
- High security prison for men
- 27 places

Stavanger Prison (thematic visit)

- Date of visit 3-5 of September 2024
- High security prison for men
- 49 places at the time of visit

Oslo Prison

- Limited investigation, concluded 5 November 2024
- High security prison for men
- 222 places (unit B)



Nordland Prison, Bodø Unit

Trondheim Prison,
Nermarka Unit

Ålesund Prison

Ullersmo Prison,
Zulu East Unit

Ringerike
Prison

Bredtveit Prison, Oslo Prison

Preventive Detention Facility, Oslo Prison

Indre Østfold Prison, Eidsberg Unit

Halden Prison

Stavanger
Prison

Agder Prison, Froland Unit

Part II

Serious findings from 10 high-security prisons

This part presents the findings relating to the Parliamentary Ombud's concerns about prison conditions, particularly regarding confinement and de facto isolation in inmates' daily lives.

3

Legal foundations

State responsibility for ensuring humane conditions of imprisonment.

The State is obligated to guarantee each individual prisoner the rights and freedoms afforded to each inmate under the European Convention on Human Rights (ECHR) and the UN human rights conventions. Article 10(1) of the International Covenant on Civil and Political Rights (ICCPR) stipulates that “all persons deprived of their liberty shall be treated with humanity and respect for their inherent dignity”. This provision imposes a positive duty on the authorities to treat people in detention humanely and with dignity.

The European Court of Human Rights (ECtHR) has further elaborated on these obligations in its case law. States must ensure that prisoners’ health and well-being are adequately safeguarded.¹⁰ The Court has also held that authorities are obliged to organize prison systems in a way that respects the dignity of inmates, regardless of financial or practical limitations.¹¹ The European Prison Rules emphasize that a lack of resources cannot justify prison conditions that infringe on inmates’ human rights.¹²

The UN Convention against Torture requires member states to take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment.¹³ This includes the duty to implement appropriate legislative measures. Persons deprived of

liberty are particularly vulnerable to violations of their physical and mental integrity. States must regularly review national prison regulations to prevent acts or conditions that may amount to torture or inhuman or degrading treatment.¹⁴ A key consideration is whether national rules and practices align with internationally recognized minimum standards for the treatment of prisoners.¹⁵

Equal rights and normality as a foundation

Inmates retain the same human rights as others, within the inherent limitations of imprisonment.¹⁶

Deprivation of liberty must be carried out in a way that mirrors conditions in society as closely as possible. The purpose is to enable individuals to acquire the knowledge and skills needed to live law-abiding lives after release.¹⁷ To support this aim, inmates must be offered a daily life that resembles normality. The opportunity to participate in meaningful activities is essential to maintaining humane prison conditions. All inmates, whether convicted or in pre-trial detention, must be offered a satisfactory daily schedule that includes education, work, vocational training, and leisure activities.¹⁸

Under the Execution of Sentences Act, inmates must, as far as practicable, be allowed to associate with others during work, training, programs, and during their leisure time.¹⁹ The Correctional Service is required to facilitate

10 ECtHR, *Kudła v. Poland*, 26 October 2000, application no. 30210/96, paragraph 94; ECtHR, *Idalov v. Russia*, 22 May 2012, application no. 5826/03, paragraph 93.

11 ECtHR (Grand Chamber), *Muršić v. Croatia*, 20 October 2016, application no. 7334/13, paragraph 99; ECtHR, *Neshkov et al. v. Bulgaria*, 27 January 2015, application no. 36925/10, paragraph 229.

12 The European Prison Rules, Rule 4. See also ECtHR, *Clasens v. Belgium*, 28 May 2019, application no. 26564/16.

13 UN Convention against Torture, Article 2 cf. Article 16; UN Committee against Torture, General Comment No. 2, Implementation of Article 2 by States Parties, 24 January 2008, CAT/C/GC/2.

14 UN Convention against Torture, Article 11 cf. Article 16.

15 In cases concerning prison conditions, the ECtHR often emphasizes minimum standards established in the European Prison Rules or recommended by the Council of Europe’s Committee for the Prevention of Torture (CPT) as supplementary interpretive tools in determining the content of convention provisions, see e.g. ECtHR (Grand Chamber), *Muršić v. Croatia*, 20 October 2016, application no. 7334/13, paragraph 133. The same applies to the Norwegian Supreme Court, HR-2015-1405-A, paragraphs 34–36.

16 ECtHR, *Hirst v. the United Kingdom* (No. 2), Grand Chamber judgment 6 October 2005, application no. 74025/01, paragraphs 69–70; UN Human Rights Committee (1992), General Comment No. 21: Concerning Humane Treatment of Persons Deprived of Liberty (Article 10), A/47/40(SUPP), paragraph 3. See also the European Prison Rules, Rule 2, and the Mandela Rules, Rule 3.

17 International Covenant on Civil and Political Rights, Article 10(3), first sentence; the European Prison Rules, Rules 5 and 6; the Mandela Rules, Rules 4.1 and 5.1; the Execution of Sentences Act, Sections 2(1) and 3(1).

18 European Prison Rules, Rule 25.1; Mandela Rules, Rule 96(1) and (2) (convicted prisoners) and Rule 116 (remand prisoners).

19 Execution of Sentences Act, Section 17(1).

daytime activity programs, although inmates do not have individual legal entitlement to such programs.²⁰

Minimum standard: eight hours of meaningful out-of-cell activity

Social contact is a fundamental human need, and the right to associate with others is protected under Article 8 of the ECHR.²¹ This means that interference with inmates' social contact that lacks a sufficient legal basis, is unnecessary, or is carried out disproportionately, may violate Article 8.²² The threshold for violation under Article 8 is lower than for Article 3.²³

The European Prison Rules state that prisoners must be allowed to spend sufficient time out of their cells to enable adequate human and social interaction.²⁴

The European Committee for the Prevention of Torture (CPT) recommends that all inmates be allowed to spend at least eight hours per day outside their cells, engaged in meaningful and varied activities.²⁵

The ECtHR has also considered whether inmates have access to at least eight hours of meaningful activity outside their cell when assessing potential violations of Article 3.²⁶

Solitary confinement must only be used on a case-by-case basis, and must be strictly necessary

The concept of solitary confinement covers various restrictions on social contact and freedom of movement and may also involve sensory deprivation.²⁷

Restrictions on association that result in inmates being confined to their cells for most of the day constitute de facto solitary confinement, which increases the risk of inhuman or degrading treatment in violation of Article 3 of the ECHR. Whether such treatment reaches the threshold for a violation of Article 3 depends on an overall assessment, including the duration, intensity, purpose, and impact on the individual.²⁸ Particular consideration must be given to the prisoner's health and to the vulnerability of specific groups.²⁹ Additionally, decisions on isolation must safeguard the inmate's rights and well-being and ensure proportionality.³⁰

This requirement for overall assessment also explains why the ECtHR has not established a specific time limit for when reduced social contact constitutes solitary confinement in violation of Article 3.³¹ Nevertheless, the extent of confinement and the deviation from normal conditions are key factors. Being locked in for 19–22 hours per day is significantly more severe and harmful than being locked in for 16 hours.

International standards consistently describe solitary confinement as a serious, intrusive, and harmful measure, which must only be used in exceptional circumstances, as a last resort, and for the shortest possible duration.³² The measure must be strictly necessary and proportionate to the risk posed by or to the inmate.

The European Prison Rules also specify that solitary confinement and exclusion must be applied to individuals, and not groups of inmates.³³ Isolation caused

20 Execution of Sentences Act, Section 18 cf. Section 3(3) and Section 49. See Proposition to the Odelsting No. 5 (2000–2001), Chapter 7.3.2.3.

21 ECtHR, *McFeeley and Others v. the United Kingdom*, 15 May 1980, Application No. 8317/78, para. 82; ECtHR, *Munjaz v. the United Kingdom*, 17 July 2012, Application No. 2913/06, para. 80; ECtHR, *Schneider v. Switzerland*, 31 March 2005, Application No. 63062/00, p. 14.

22 See references in the previous footnote. In Norwegian lower court rulings, there are examples where violations of Article 8 were found in cases involving 22–23 hours of daily confinement. See Borgarting Court of Appeal, ruling of 2 August 2019 (LB-2019-113010) and Bergen District Court, judgment of 26 June 2019 (TBERG-2018-153795-2).

23 ECtHR, *Raninen v. Finland*, 15 December 1997, Application No. 20972/92, para. 63; ECtHR, *Wainwright v. the United Kingdom*, 26 September 2006, Application No. 12350/04, para. 43.

24 European Prison Rules, Rule 25.2.

25 CPT, *Imprisonment*, excerpt from the 1992 Annual Report CPT/Inf (1992) 3, para. 47; CPT, *Remand Detention*, excerpt from the 2017 Annual Report CPT/Inf (2017) 5-part, para. 58; CPT, *A Decency Threshold for Prisons – Criteria for Assessing Conditions of Detention*, excerpt from the 2021 Annual Report CPT/Inf (2021) 5-part, para. 80.

26 ECtHR, *N.T. v. Russia*, 2 June 2020, Application No. 14727/11, paras. 50 and 52; *Lazar v. Romania*, 14 February 2017, Application No. 14249/07, para. 44.

27 Special Report 2019, Chapter 2.

28 ECtHR, *Rohde v. Denmark*, 21 July 2005, Application No. 69332/01, para. 93; *Rzakhanov v. Azerbaijan*, 4 July 2013, Application No. 4242/07, para. 64.

29 ECtHR, *Jeanty v. Belgium*, 31 March 2020, Application No. 82284/17, paras. 98 and 117.

30 ECtHR, *Babar Ahmad and Others v. the United Kingdom*, 10 April 2012, Application Nos. 24027/07 et al., para. 212.

31 ECtHR, *Babar Ahmad and Others v. the United Kingdom*, 10 April 2012, Application Nos. 24027/07 et al., paras. 205–210; *Radev v. Bulgaria*, 2005, Application No. 37994/09, para. 48; *N.T. v. Russia*, 2020, Application No. 14727/11, para. 44.

32 ECtHR, *Babar Ahmad and Others v. the United Kingdom*, 10 April 2012, Application No. 24027/07 et al., para. 212; ECtHR, *Csüllög v. Hungary*, 7 June 2011, Application No. 30042/08, para. 34; CPT (2011), *Solitary Confinement of Prisoners*, CPT/Inf(2011)28-part2, para. 64; Supreme Court Appeals Selection Committee, 8 June 2017, HR-2017-1127-U; European Prison Rules, Rule 53.2 cf. Rule 53A(c); Mandela Rules, Rule 54(1).

33 European Prison Rules, Rule 53.7.

by general resource shortages, rather than individual assessment, is problematic and increases the risk of violating fundamental rights.

In 2019, Norwegian courts ruled in several cases that inmates who had been confined for more than 22 hours per day without a lawful decision were entitled to reductions in their sentence. In some instances, this also resulted in release from pre-trial detention.³⁴ The 22-hour limit corresponds to the definition in the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), which describe solitary confinement as confinement for 22 hours or more per day without meaningful human contact.³⁵ As the case law of the ECtHR makes clear, the 22-hour threshold is not decisive in determining violations of Article 3. Harmful effects can occur even when confinement is less than 22 hours per day.

International criticism of confinement and de facto isolation

The UN Committee Against Torture has expressed concern over de facto isolation in Norwegian prisons, which largely results from facility limitations and

staffing shortages. The Committee recommended that Norwegian authorities ensure infrastructure and staffing levels are not used as justification for excluding inmates from communal activities. The Committee also emphasized:

“Conditions amounting to or resembling de facto isolation are not based on an individual administrative decision authorizing exclusion and can therefore not be appealed or reviewed.”³⁶

In its May 2024 report following a visit to Norway, the European Committee for the Prevention of Torture (CPT) noted that budgetary constraints and difficulties in staff recruitment and retention created significant obstacles to maintaining a meaningful prison regime.³⁷ The Committee reported that in several prisons they visited, inmate work hours were irregular, often canceled at short notice, and education programs had been reduced.



³⁴ See, e.g., HR-2019-1455-U cf. LB-2019-113010 and HR-2019-2048-A.

³⁵ Mandela Rules, Rule 44.

³⁶ UN Committee Against Torture, Concluding Observations on Norway's 8th report on the implementation of the Convention against Torture, 5 June 2018, CAT/C/NOR/CO/8, paragraph 17(b). Our translation.

³⁷ CPT report following the visit to Norway, 21–31 May 2023, CPT/Inf (2025) 03, p. 4.

Daily life in prison

All individuals sentenced to more than two years in prison, or placed in pre-trial detention, are generally held in a high-security facility.³⁸ High-security prisons are characterized by continuous security assessments, and officers must be present whenever inmates are together. Inmates are locked in their cells at night and during several periods of the day, such as staff breaks or shift changes.

Inmates are housed in units typically consisting of 6 to 20 cells, these are known as communal units, there is usually a shared area with seating and a kitchen. The amount of time inmates are allowed to be in these communal areas varies between prisons and units, and depends on local security assessments and available staffing.

A high-security prison will normally also have one or more restrictive units, which often lack communal spaces and structured daily activity. These units house inmates who are subject to administrative exclusion or have been formally isolated by court order. Newly admitted inmates and those requiring frequent monitoring are also often placed in these units.

Prisons are required to offer activity programs to inmates, with education or work typically taking place in buildings that are separate from the housing units. Inmates are usually escorted by officers to school or work in the morning. Then they are brought back to their units for lunch and locked in during staff breaks. Then they are escorted out again for a second session of education or work before dinner.

Afternoons, evenings, and weekends are normally intended for other aspects of daily life, such as cooking, shared meals with inmates and staff, contact with family and friends, exercise, outdoor activities, laundry, and other routines and responsibilities that form a natural part of a daily life.

38 Execution of Sentences Act § 11, first paragraph cf. fourth and fifth paragraphs (convicted inmates), and the Directorate of Norwegian Correctional Service's guidelines to the Execution of Sentences Act (2008), section 47.1 (remand prisoners).

4

What causes confinement and isolation?

4.1 Introduction

The presence of prison officers is important for ensuring safety and security for both inmates and staff.³⁹ Officers are expected to contribute to security by participating in activities, observing behavior, motivating for change, and preventing conflicts. Prisons often refer to this as “dynamic security.” In a high-security prison, interaction between inmates must take place “under continuous supervision and control.”⁴⁰ Regulations therefore require that communal activity in such prisons generally occurs in the presence of at least one staff member.⁴¹ This applies both to scheduled daytime programs and to informal settings such as cooking and shared meals (recreational time).

To allow inmates time outside their cells, prisons depend on staffing in education and work areas, housing units, outdoor spaces, gyms, libraries, and for movement between these locations. In prisons that lack

sufficient staff to maintain safe communal interaction, inmates are typically locked in their cells alone.

Two main factors determine how much time an inmate spends out of their cell during a normal day:

- › The inmate’s access to daytime programming (education or work)
- › The amount of time allocated for recreational and social interaction

Our visits to high-security prisons in 2023–2024 included facilities of varied size, function, architecture, and geographical location. In all inspections, we assessed how much time inmates could spend outside their cells and their access to structured daily activities. This collective dataset provides valuable insight into the challenges of confinement and de facto isolation in high-security environments.

In every prison we visited, we found multiple inmates confined for 17 to 22 hours per day, not due to their own behavior or specific circumstances. This confinement was not the result of a formal isolation decision by the courts or the prison. In several prisons, more than half, and in some cases an even a larger share of inmates were locked in their cells alone for most of the day.

39 For example, ECtHR, *Pantea v. Romania*, 3 June 2003, Application No. 33343/96, paras. 191–196.

40 Norwegian Regulations on the Execution of Sentences, Section 3-9.

41 Guidelines to the Execution of Sentences Act, Part III, Section 1.2: Control of Communal Activities.

4.2 Severe deficiencies in daily activity program

With few exceptions, our findings show that inmates in communal units without a daily program are confined to their cells during periods when they would otherwise participate in education, work, or other activities. This in-cell confinement usually lasts all day, until mid-afternoon when scheduled programs typically conclude.

The Correctional Service considers four hours of daily activity to constitute a full program.⁴² As a result, even inmates with a so-called “full program” may fail to meet international minimum standards for out-of-cell time. In some high-security prisons, the day was divided into two shifts, meaning inmates were only offered a half-day program, typically either before or after lunch.

Most communal units had schedules suggesting that inmates with full-time education or work could spend at least eight hours outside their cells on weekdays. However, our findings showed that these schedules did not reflect the reality for many inmates. Many had no

access to a daily program at all. For others, the program was so limited that they remained locked in their cells for 16 hours or more each day, for several days per week. A primary cause of this was limited program capacity. Some inmates had illnesses or disabilities that made participation difficult, and certain remand prisoners chose not to participate.⁴³

Inmates placed in restrictive units generally do not have access to daily programs. This is to be expected when a court has ordered isolation or when the prison has issued a formal exclusion decision. However, our visits revealed that in many restrictive units, inmates remained for extended periods without any formal isolation decision, while waiting for a placement in a communal unit. This was the case in eight out of the ten prisons we visited. Although some prisons managed to offer education or work to these inmates, most were unable to do so.



⁴² Directorate of Correctional Service, Supplementary Information on Reporting, letter to the Parliamentary Ombud, 9 January 2025.

⁴³ Remand prisoners cannot be required to participate in daily programs, apart from essential cleaning/household tasks, but are permitted to participate “as far as practicable,” cf. Section 49 of the Execution of Sentences Act.

The following overview illustrates how limited inmates' daily program can be:

- › **Ålesund Prison** (27 places): More than half of the inmates lacked access to a daily program or were only offered part-time schooling.
- › **Halden Prison** (228 places): On a randomly selected weekday, fewer than half of the inmates had a full daily program. About one-quarter had a half-day program, and just under one-quarter had no program at all.
- › **Oslo Prison**, Unit B (222 places): Only 45 work program positions were available.
- › **Eidsberg Prison** (102 places): Up to two-thirds of the 93 inmates lacked access to education or work. Most of those who did, had only a two-hours of program.
- › **Froland Prison** (200 places): Offered only 129 full-time placements for education or work.
- › **Bodø Prison** (56 places): At the time of our visit, more than one-third of the inmates lacked a daily program.
- › **Stavanger Prison** (49 places in operation): Had capacity for only 20 inmates in the work program, and education was limited to just a few hours per week.
- › **Ringerike Prison** (160 places): Provided only 93 work placements and 28 education places. On a weekday in February 2024, 37 percent of inmates lacked access to any daily program.



Statistics from the Correctional Service also suggest that the general level of inmate activity in high-security prisons has declined since 2019.⁴⁴ While 22 percent of all prison days in 2019 lacked access to at least four hours of programming, by 2024 more than a quarter of prison days fell below this basic threshold. These figures, however, are uncertain and should be interpreted with caution.

Three of the prisons we visited reported an activity rate below 65 percent. One prison stated that on average only 54 percent of inmates had access to a daily program during the third trimester of 2023 and the first trimester of 2024. This means that nearly half of all prison days were spent without any form of daily programming. Although several prisons reported activity levels close to the Correctional Service's target of 85 percent, we did not observe such rates during our visits. At Halden Prison, management reported an activity rate of approximately 80 percent. However, on a randomly selected day, more than half of the inmates lacked access to at least four hours of activity. At Ålesund Prison, only half of the inmates were working during our visit in September 2024, and the prison lacked the capacity to offer a full-day program to all inmates. Despite this, the prison had reported an activity rate above 85 percent in both 2023 and in the spring before our visit in 2024. During our inspections, we also observed numerous examples of scheduled programs such as work activities being cancelled or scaled back due to staffing shortages.

"The financial situation may lead to more confinement

The Correctional Service is facing a very difficult financial situation, and measures must be implemented in the prisons. It is not yet clear which measures will be most effective, and we are awaiting input from central leadership.

At Bredtveit, this means that activities may be cancelled and/or inmates may be locked in earlier than usual if there is insufficient staffing.

We regret the inconvenience this causes."

Letter from the prison director to inmates, received during our visit to Bredtveit

Our findings suggest that cancellations of daily programs due to institutional constraints are not recorded in the Correctional Service's system. One reason is that activity rates are calculated based on the system used to distribute inmate allowances.⁴⁵ Inmates who are unable to attend the daily programs for reasons beyond their control are still entitled to daily pay.⁴⁶ As far as we can determine, cancellations due to operational issues are not reflected in official statistics on levels of activity.

4.3 Lack of communal facilities

Restrictive units lacking communal areas

Restrictive units completely or nearly completely lack areas for cooking, shared meals, and social interaction. In some cases, the only shared space consists of a corridor lined with cells on both sides. The absence of communal areas makes it difficult to ensure that inmates have sufficient opportunities for social contact.

These units are primarily intended for inmates who have been formally isolated by court order or administrative decision.

However, our findings show that restrictive units are also used for inmates without such decisions, such as newly arrived inmates, or those who have previously been isolated and are awaiting placement in a communal unit. In some prisons, inmates were transferred from communal units to restrictive units without any formal exclusion decision. This was observed, among others, at Halden and Stavanger Prisons.

⁴⁴ In the correctional service, the level of inmate activation is recorded through the management indicator proportion of prison days with activity, meaning the number of prison days spent in incarceration. This is not intended to measure time out of cell, but rather the content of crime prevention efforts within the prison. Schoolwork or other in-cell work is counted as activity in these statistics.

⁴⁵ Directorate of Correctional Service, Supplementary information on reporting, letter to the Parliamentary Ombud, 9 January 2025.

⁴⁶ Directorate of Correctional Service, Guidelines to the Execution of Sentences Act (2008), Section 19.2.

In several prisons, the problem was that restrictive units constituted a large proportion of total capacity. The situation was especially acute at Stavanger Prison, where 22 places in the restrictive unit places lacked communal areas, while only 13 places were available in standard communal units. Several prisons also reported that requirements to utilize all available capacity worsened the issue. When inmates were temporarily placed in restrictive units due to isolation decisions, new inmates were moved into the communal units. Once the isolation period ended, the previously isolated inmates had to wait for a cell to become available in communal wards. This was reported at Eidsberg, Stavanger, and Trondheim Prisons.

Our findings indicate that these circumstances increase the risk that restrictive units are used as standard housing, including for inmates who are not subject to isolation decisions. The problem is particularly severe during periods of high occupancy.⁴⁷

Communal units without adequate communal areas

There are also communal units in several prisons that lack sufficient shared space. In Oslo, Ålesund, and Halden Prisons, we found significant deficiencies in communal facilities within units designated as communal. In Oslo Prison, some units lacked common rooms altogether. The narrow corridors outside the cells made it difficult to allow inmates out of their cells in a safe and practical manner.

Facilities being too small for education and work

In several prisons, the available facilities were too small to accommodate all inmates in workshops, classrooms, or other work settings. For example, Froland Prison, one of the newest high-security facilities, was built in such a way that only 70 percent of inmates could be offered a full-time work program. The space was not suited to the number of inmates in need of a program. There was a lack of storage space, the workshops were small, and they did not support the same level of production as other comparable prisons. At Eidsberg Prison, the facilities were also too limited to allow for daily pro-

grams for all inmates. This was one of the reasons why most inmates were only offered two hours of education or work per day. The Parliamentary Ombud is surprised that new and modern prisons are constructed without sufficient physical space to provide full-day programs to all inmates.

Lack of action from central authorities

According to the Ministry of Justice and Public Security, as of June 2022, approximately 660 prison places were in units where inmates had on average less than eight hours of time outside their cell per day. These issues were particularly acute in restrictive units lacking suitable communal areas.⁴⁸

Prison infrastructure assessment

In 2024, as part of a broader structural review, the Directorate of Correctional Service and the Directorate of Public Construction and Property assessed whether high-security prisons had communal facilities that enabled inmates to spend at least eight hours outside their cells each day.⁴⁹ Three criteria had to be fulfilled: the unit had to have communal areas, space for shared meals, and facilities allowing all inmates to engage in communal activities at the same time. In 12 out of 32 high-security prisons, most units failed to meet these criteria. For these prisons, major upgrades were deemed necessary to ensure continued operation.

The Parliamentary Ombud finds it deeply concerning that inmates who are neither formally excluded nor isolated by court decision are confined alone in their cells for nearly the entire day due to physical infrastructure. In line with UN standards for prison buildings, units without appropriate communal spaces should not be used as part of the ordinary prison capacity.⁵⁰ Nearly six years after the Parliamentary Ombud first recommended measures to change this situation, no concrete plan has yet been adopted.

⁴⁷ One exception was Ringerike Prison, which changed its practice after having, for years, operated a queue system for transfer out of the restrictive unit, even when the grounds for exclusion had ceased. This was a follow-up to the Parliamentary Ombud's statement in case 2022/4454.

⁴⁸ Ministry of Justice and Public Security, 2 February 2023, consultation paper proposing amendments to the Execution of Sentences Act and the Health and Care Services Act (association, exclusion and coercive measures in prison), p. 121.

⁴⁹ Directorate of Public Construction and Property and the Directorate of Correctional Service, Future Prison Capacity: Assessments and Recommendations, 8 March 2024.

⁵⁰ United Nations Office for Project Services (UNOPS), Technical Guidance for Prison Planning: Technical and operational considerations based on the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), 2016, p. 117.

(The document sets standards for prison design based on the UN's minimum rules for the treatment of prisoners.)

4.4 Staff shortages cause extensive cell confinement

All ten prisons we investigated in 2023–2024 were characterized by what the prisons themselves described as major staffing challenges. The prisons pointed to high turnover, high sick leave, too few positions, and too few qualified applicants for vacant positions.

Several of the prisons, including Ringerike, Trondheim, Halden, Stavanger, and Bodø prisons, described problems with retaining and recruiting staff. They also reported that these problems followed a longer period of reductions in the number of positions and the possibility of using temporary staff.

Many of the employees we interviewed told us they were exhausted, that they did not have time for conversations and activities with inmates who needed them, and that they had to deprioritize contact with inmates. They also said that the low staffing levels and the many temporary and unqualified workers, made them feel unsafe at work (see Chapter 2.6.6: Strain on Employees). Many of the inmates we interviewed also reported that staff appeared stressed and had little time to talk to them or help with tasks, such as matters related to sentence progression.

Our findings show that staffing challenges are a key reason why many inmates experience a prison life characterized by extensive cell confinement, lack of activity, and limited social interaction.

At Stavanger Prison, lack of staff was the direct reason why a communal unit was temporarily closed, leading inmates to be held for extended periods in a more restrictive unit without shared facilities. At Froland Prison, the reduction in the number of officers in the units meant that inmates who were not engaged in work were locked in their cells during non-working or non-school hours. This prison had significantly fewer activity spaces than the number of prison spots. At Eidsberg Prison, long-standing staffing challenges meant that even inmates with daytime activities could only spend about five hours per day outside their cells. Bodø Prison reported that staffing challenges, resources, and budget constraints affected the prison's ability to provide adequate daytime activities for inmates. In Oslo Prison, the management explained that high occupancy, staff on leave, and high sick leave had led to

reduced employment among the inmates. In almost all units of this prison, inmates were locked in on average 20.5–21.5 hours per day.

The resource situation in the correctional services over several years appears to have contributed to many employees quitting, and the prisons are now facing major challenges in recruiting and retaining prison officers. Several of the prisons we visited expressed deep concern that the situation with extensive cell confinement and de facto isolation will worsen in the future. They also pointed to increased illness and needs for greater follow-up among many inmates in high-security prisons, which demands even more from the staff.

"We are actively working to recruit prison officers for our vacant positions. As long as we lack access to professionally trained prison staff, even increased funding will not solve the situation."

Feedback from Trondheim Prison on our inspection report

"Concerns related to resources, safety, cell confinement and isolation are expected to increase significantly in 2025–2026, in light of recent developments in the correctional services' budgets."

Prison director at Ringerike Prison, preliminary feedback after the NPMs visit

This is confirmed by the Directorate of Correctional Service, which in its 2023 annual report states: "An increase in time out of cell requires significant changes in both staffing levels and building conditions."⁵¹

Overall, both the NPM visits and the prisons' feedback on the follow-up reports indicate that low staffing levels is a central cause of the increasing cell confinement and de facto isolation in Norwegian prisons.

5

Extensive cell confinement and de facto isolation

Special Report 2019 Recommendations:

- › Establish a national standard ensuring that inmates are given the opportunity to spend at least eight hours per day on social interaction and meaningful activities.
- › Prepare a plan for closing down or adapting all prison sections currently not adapted for association between inmates.

5.1 Compliance with the minimum standard of 8 hours of time out of cell

Many inmates receive less than eight hours out of cell

In every prison we visited, there was at least one communal unit where all inmates without access to daytime programs were locked in their cells for at least 17 hours per weekday. As noted in Chapter 4.2 (Severe deficiencies in daily programs), many inmates lacked access to such programs. During weekends, inmates in communal units were sometimes allowed slightly more time out of cell. Still, in five of the ten prisons, all inmates had less than eight hours out-of-cell time—even on weekends, in violation of international minimum standards (see Chapter 3. Legal Foundations).

Continued uncertainty about the actual extent of confinement

Several prisons lacked reliable data on how much time inmates in various units were actually confined in their cells. Lock-in times varied from day to day depending on staff availability. The most recent annual and quarterly reports from the Correctional Service confirm that high-security prisons have not achieved a steady increase in time out of cell.⁵² Data show that in every data collection since the 2019 special report, at least 600 inmates were confined for more than 16 hours a day. Meaning they received less than eight hours out of cell. Figures also suggest the number of

such inmates has increased: over 900 inmates had less than eight hours out of cell in the most recent 2024 count, compared to 600 at the end of 2022. However, these numbers are uncertain and should be considered minimum estimates, as they are based on single-day national surveys with multiple sources of error.⁵³

It is unfortunate that there still is no reliable national data on inmates' actual time out of cell and participation in activities is still lacking.

"The figures also indicate that the number of inmates with less than eight hours out of cell has increased from 2022 to 2024."

52 Directorate of Correctional Service, Annual Report 2023, p. 68, and Directorate of Correctional Service, Performance and Financial Report to the Ministry of Justice and Public Security, Second Terial 2024.

53 Special Report 2019, Chapter 5.

Extensive cell confinement and de facto isolation:

- › In [Ålesund Prison](#) (27 places), more than half of the inmates were confined to their cells for more than 18 hours per day, on several or all days during the week of our visit.
- › In [Bodø Prison](#) (56 places), more than one-third of the inmates lacked a daily program and were therefore confined for approximately 17 hours per weekday.
- › In [Froland Prison](#) (200 places), inmates without programs were previously allowed out of their cells while others attended school or work. From August 2023, this changed. On several weekdays, they were confined for up to 17.5 hours. According to management, this was due to staffing and resource constraints.
- › In [Trondheim Prison](#) (118 places), inmates in communal units without daily programs were confined for approximately 18 hours per day.
- › In [Oslo Prison](#), Unit B (222 places), only 22 percent of inmates had the opportunity to spend at least eight hours outside their cells.
- › In [Eidsberg Prison](#) (107 places), daytime programs and recreational time were so limited that even inmates with education or work were confined for 18–19.5 hours per weekday.



5.2 High risk of de facto isolation

De facto isolation in communal units

In many of the prisons visited, inmates without access to a daily program were locked in for such long periods that they experienced de facto isolation. In half of the prisons (5 out of 10), one or more communal units had inmates without daily programs locked in for 19 to 21 hours each weekday. This applied to Bredtveit, Halden, Ringerike, Eidsberg, and Oslo Prisons.

Many of these inmates had spent large parts of the day locked in for extended periods while waiting for a place in a daily program to become available.

De facto isolation in restrictive units

In 7 of the 10 prisons we examined, we found inmates held in restrictive units without an isolation decision by the prison or the court. Some of these inmates experienced de facto isolation—and in certain cases appeared to have even less social contact than inmates who were formally placed in isolation by a court or the prison.

In 4 of these 7 prisons, inmates in restrictive units were generally not permitted to participate in work or education, and only had access to the limited recreational association provided by the unit's schedule. Very few inmates in restrictive or intake units were able to spend more than eight hours out of their cells.

Six prisons had one or more restrictive units where inmates were locked in alone for 19–22 hours a day without any decision by the prison or court. This was the case at Bredtveit, Stavanger, Trondheim, Halden, Eidsberg, and Oslo Prisons. The level of lock-in was approximately the same on weekdays and weekends.

At Halden and Eidsberg, we found that the unit schedules led to inmates being locked in for more than 22 hours a day without a formal decision. This is clearly in breach of the minimum standard of at least eight hours out of cell, and also violates the rules that apply to inmates who are formally excluded from association.⁵⁴

⁵⁴ The European Prison Rules, Rule 25.2, and the CPT report Imprisonment, CPT/Inf (1992) 3, paragraph 47, recommend that all prisoners should be allowed at least eight hours outside their cells each day. The European Prison Rules, Rule 53A(a), further state that all inmates who are excluded from communal activities must be offered at least two hours of meaningful human contact daily.

Findings of de facto isolation

Communal prison units

- › In [Bredtveit Prison](#) (40 places), inmates in communal units without an activity program were confined for 19–20 hours per day.
- › In [Halden Prison](#) (228 places), inmates without activity programs were locked in for over 20 hours per day. Those with half-day programs were confined for at least 17 hours. Around a quarter of inmates had half-day programs, and just under a quarter had none.
- › In [Ringerike Prison](#) (160 places), inmates without activity programs were locked in for up to 19 hours per day. Over one-third lacked access to such a program, and some had waited weeks or months.
- › In [Eidsberg Prison](#) (102 places), long-standing staffing issues meant inmates without activity programs were confined for up to 21 hours per day. At the time of our visit, this applied to up to two-thirds of the 93 inmates. Most of those who had activity programs received only about two hours of activity per day.
- › In [Oslo Prison](#), Unit B, inmates without access to a daily activity program were confined to their cells for an average of 20 hours and 30 minutes per day across 200 of the facility's 222 places. The prison had only 45 available spots in its work program.

Restrictive prison units

- › In [Bredtveit](#), inmates in the most restrictive unit (Unit 3) were confined for 19–20 hours per day.
- › In [Stavanger](#), where the restrictive unit was the largest (22 of 49 places), inmates without programs were confined for 19.5–20.5 hours per day. Even the few who had activity programs (three at the time of our visit) were confined for 16.5–17.5 hours, due to the lack of communal space.
- › At [Trondheim Prison](#), inmates without a formal decision could be placed in restrictive units. As a rule, no daily program was offered in these units. Inmates were confined to their cells for more than 20 hours on weekdays and 20.5 hours on weekends.
- › [Oslo Prison](#) has several restrictive units where inmates can be held without a decision and confined for up to 21.5 hours per day. A concerning number of these units lacked communal areas.
- › [Halden Prison](#) had 28 restrictive places across two units, plus an intake unit with 20 places. Inmates could be confined for more than 19, and sometimes over 22 hours per day without an isolation decision.
- › [Eidsberg Prison](#) had a restrictive unit with six regular and four observation cells. Inmates placed in regular cells were confined for 20–22 hours daily, and in some cases even more without any formal decision.

5.3 The risk of normalising extensive in-cell confinement

Our findings show that many inmates in high-security prisons are not guaranteed out-of-cell time that meets international minimum standards of at least eight hours per day with access to meaningful activities. In several prisons, inmates had daily out-of-cell time that approached, or in some cases fell below, two hours. In many of these facilities, a significant number of inmates spent 19 to 20 hours alone in their cells. This applied both to inmates in communal units and to those held in restrictive units without a formal decision from the prison or a court order for isolation.

This development can be attributed to two key factors: the absence of clear legal provisions defining minimum daily out-of-cell time, and the lack of activity programs and communal facilities.

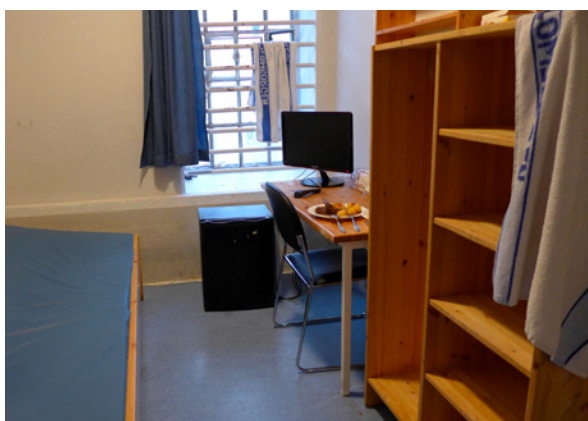
In addition, guidance issued by central authorities may have contributed to this trend. Shortly after the 2019 court rulings on de facto isolation (see Chapter 2.2: Legal Foundations), the Directorate of Correctional Service issued new instructions to the regional prison authorities. These stated that all units within a prison must have: "A daily schedule ensuring that all inmates are offered at least two hours of association each day."⁵⁵ In other words, this requirement was not limited to units housing inmates who had been formally isolated by the prison or a court. The purpose of this

instruction was to prevent inmates from being isolated for 22 hours or more, which would violate Supreme Court precedent, and to avoid triggering claims for sentence reduction or early release due to unlawful isolation.

The Ministry of Justice and Public Security has also proposed a regulation stating: "All inmates shall be guaranteed access to a minimum of two hours of meaningful contact with other persons each day."⁵⁶ In our view, it is problematic that this regulation fails to clearly differentiate between inmates who are formally isolated and the large majority of inmates who are entitled to ordinary everyday life in prison.

As outlined in Chapter 2.2: Legal Foundations, the eight-hour minimum standard relates to the amount of social contact and activity that inmates should be guaranteed in their normal daily prison routine.⁵⁷ The two-hour minimum standard, by contrast, is intended to mitigate the harm in exceptional cases where inmates are subject to formal isolation.⁵⁸

An unfortunate consequence of this kind of blanket guidance appears to be a blurring of the crucial distinction between what constitutes a normal prison environment and what applies in extraordinary situations involving isolation decisions for individual inmates.



⁵⁵ Directorate of Correctional Service, Case law from Norwegian courts concerning the isolation of inmates and remand sentence reduction, letter to the prison regions, 10 September 2019 (DL-201410430-286).

⁵⁶ Ministry of Justice and Public Security, draft consultation paper proposing a new provision on association, see draft § 17, second paragraph. See also the Ministry's 2025 allocation letter to the Correctional Service, p. 9.

⁵⁷ CPT, Imprisonment, excerpt from the Committee's 2nd annual report, CPT/Inf (92)3-part 2, paragraph 47.

⁵⁸ European Prison Rules, Rule 53A (a): "prisoners who are separated shall be offered at least two hours of meaningful human contact a day." See also 53.6 and 53A (b), which clarify that such isolation must be based on a specific individual assessment, written decision, and legal authority in national law.

6

Consequences of extensive cell confinement

The extensive cell confinement of inmates in high-security prisons can have serious consequences. While the confinement primarily affects the inmates themselves, it also affects the operation of the prison, its staff, the inmates' families and friends, and society at large.

During visits to high-security prisons in 2023–2024, we spoke with 213 inmates. Their accounts of daily prison life provide a strong basis for describing some of the serious consequences they experience due to these daily restrictions. Insights from 227 interviews with prison and healthcare staff also contribute to this understanding.



6.1 Risk of harm to inmates' health

The 2019 special report provided a detailed review of the health risks associated with isolation (see Chapter 4 of that report). The key points are summarized here:

It is well-documented in both old and more recent research literature that isolation can be harmful to health.⁵⁹ The findings indicate that a large proportion held in solitary confinement experience some form of physical or mental problems or symptoms as a result of being isolated. The harmful effects of solitary confinement can be immediate, but the number of inmates who develop health problems and the severity of such problems increase with the length of confinement.

*"Solitary confinement is one of the most serious measures which can be imposed within a prison (...) and, as the Committee for the Prevention of Torture has stated, all forms of solitary confinement without appropriate mental and physical stimulation are likely, in the long term, to have damaging effects, resulting in deterioration of mental faculties and social abilities (...). Indeed, as the Committee's most recent report makes clear, the damaging effect of solitary confinement can be immediate and increases the longer the measure lasts and the more indeterminate it is."*⁶⁰

Health consequences of solitary confinement

The most common symptoms are psychological, but physical ailments have also been documented. These may include heart palpitations, sweating, insomnia, joint and back pain, visual disturbances, loss of appetite, digestive problems, fatigue, trembling, and a sensation of cold. Psychological symptoms may include anxiety, apathy, social withdrawal, difficulty concentrating, hypersensitivity to sound, and racing thoughts, as well as severe depression, panic attacks, and acute psychosis. Reports also mention increased aggression, anger, self-harm, and suicide attempts. Pre-existing medical conditions may be exacerbated by isolation.⁶¹



⁵⁹ The research is summarized in the Special Report 2019, Chapter 4.

⁶⁰ ECtHR, Babar Ahmad and Others v. the United Kingdom, 10 April 2012, application no. 24027/07 et al., paragraph 207.

⁶¹ Shalev, S. (2008). A Sourcebook on Solitary Confinement. London: Mannheim Centre for Criminology, London School of Economics; The Parliamentary Ombud, Special Report 2019, Ch 4.

6.2 Many inmates are negatively affected by prolonged cell confinement

Many inmates spoke about the emotional strain caused by extended confinement, alone in their own cell. We found that several were profoundly affected. Inmates expressed feelings of hopelessness, resignation, and frustration over the lack of meaningful activity. Several emphasized how the unpredictability of their situation worsened their distress. Inmates, staff, and healthcare personnel all expressed concern about the impact of prolonged lock-in on both physical and mental health.

"Staff spoke about inmates who were negatively affected by the lock-in, including becoming less active, more tired despite not engaging in any activity, and more withdrawn. Some used the term 'cabin fever.' Frustration, restlessness, and anger were also mentioned."

Excerpt from visit report to Eidsberg prison (2024)

6.3 Symptoms of isolation-related harm

Several inmates showed symptoms consistent with isolation-related harm, including sleep problems, anxiety, confusion, poor impulse control, concentration difficulties, memory issues, aggression, and psychosis-like symptoms such as hallucinations.

Healthcare personnel in several prisons told us that the extensive cell confinement increased the need for follow-up with struggling inmates, including more frequent requests for medication to manage anxiety and sleep issues. In one prison with particularly severe cell confinement levels, staff said they had to prescribe sedatives and anti-anxiety medication simply to help inmates "endure" the isolation. At another prison, our review of medical records showed that at least three inmates present at the time of the visit had documented symptoms consistent with isolation-related harm.


"[The patient's isolation] triggers worsening of depressive symptoms and an increase in suicidal and self-harming thoughts. (...) Continued isolation will only worsen his condition."

Excerpt from patient medical record


"Yesterday I got 25 minutes of fresh air. I don't get human contact or stimulation or anything. I just sit alone. Not much happens in my day. So I'm becoming more mentally... [unwell]. The doctor says I need stimulation, but put me on antidepressants and antipsychotic medication."

Inmate in conversation with the NPM





"It's hard to sit in this room 17–18 hours a day (...) My paperwork says I need fresh air and exercise (...) I don't get that here. Either I'm sitting in this chair or I'm lying in bed. Usually, I sleep until 9. I don't bother getting up at 7, because I have no job or anything. I get my meds at 10. I eat and drink in my room, have a fridge and food here. Then I sit here until 3 p.m. Then I pick up dinner. There's social time in the evening. Sometimes we cook dinner together. Then back inside until 8 p.m. I watch a lot of TV. I've told them I'm struggling with my nerves when I'm in here (...) I get weird visions when I watch TV, tunnel vision, and flowers on the wall."



Inmate without daytime activities, in conversation with the NPM

6.4 Extensive cell confinement particularly affects young inmates and inmates struggling with mental illness

Inmates in Norwegian prisons have higher rates of illness than the general population.⁶² The prevalence of mental health disorders and substance abuse issues among inmates has also increased in recent years.⁶³ Those with mental health challenges are particularly vulnerable to the harmful effects of isolation. The same applies to inmates who have experienced war or trauma, survivors of torture, and inmates who do not speak Norwegian or English.⁶⁴

During our visits, we met many inmates who reported diagnoses such as ADHD, PTSD, substance use disorders, personality disorders, autism, and psychotic disorders (e.g., schizophrenia). These conditions were confirmed by medical records. For example, intake

documentation from three randomly selected prison visits showed that between half and two-thirds of newly admitted inmates had at least one diagnosis related to a mental health or substance use disorder.

Minors and young inmates are also particularly vulnerable to the effects of isolation, partly because critical brain functions are not fully developed until well into their twenties. Many young inmates were subjected to prolonged cell confinement. In one prison we found that inmates were confined to their cells for between 19 and 22 hours per day, and in some cases, even longer. This was a prison that was designed to offer a specialized program for inmates aged 18 to 24 and to accommodate minors when needed.

6.5 Some inmates are “forgotten” by the prison and health services

Prisons invest significant resources in following up inmates who have been placed in isolation by court order or by decision of the Correctional Services, often through so-called activity teams. Such follow-up is resource-intensive and often requires one-on-one attention, sometimes involving multiple prison officers. These teams are intended to support a broader group than just those formally isolated, such as inmates who are vulnerable or anxious about participating in communal settings.⁶⁵

“The activity team did not systematically follow up with inmates in Unit V who had little communal time and therefore spent many hours locked in their cells.”

NPM Visit Report, Stavanger Prison (2024)

In practice, there are not enough staff to provide regular follow-up for all inmates who spend extended time locked in. This is confirmed by reports from the Directorate of Correctional Service to the Ministry of Justice and Public Security:

“Activit and resource teams prioritize the most vulnerable inmates, and their efforts are rarely directed at inmates with normal function, but who lacks activities due to mlow staffing levels or insufficient physical premises.”⁶⁶

Letter from Directorate of the Correctional Service in report to the Ministry of Justice and Public Security 2024

62 Centre for Competence in Security, Prison and Forensic Psychiatry, South-Eastern Norway Regional Health Authority, Prevalence of Mental Disorders among Convicted Persons in Norwegian Prisons (2014). Bukten et al. (2024). The prevalence and comorbidity of mental health and substance use disorders in Scandinavian prisons 2010–2019: a multi-national register study. BMC Psychiatry (2024) 24:95. Bukten et al. (2021). Suicide in prison and after release: a 17-year national cohort study, European Journal of Epidemiology (2021) 36:1075–1083.

63 SERAF, Living conditions, substance use and mental health among individuals who have been imprisoned or served community sentences, Report 5/2024.

64 Parliamentary Ombud, Special Report 2019, Chapter 8.

65 Directorate of Correctional Service, Annual Report 2023, page 67 provides an overview of the target group for the activation teams.

66 Directorate of Correctional Service, Performance and Financial Reporting, 2nd Trimester 2024.



There is a clear risk that inmates without formal isolation decisions are simply forgotten and this seems to be a particular challenge in prisons with many units and where the lock-in regime is extensive and undefined.

This also applies to follow-up by healthcare personnel. Healthcare staff from municipal health services in prisons rarely followed up inmates who were, in practice, isolated for most of the day in their own cell, unless the inmate specifically requested help, or a concern had been raised. In some prisons, healthcare workers were unaware of the extent of daily confinement, despite the clear negative impact on inmates' health. At the same time, prison health departments lacked sufficient staffing to perform all the essential duties expected of a prison health service.

"Neither the health department nor the outpatient clinic were aware that inmates were locked in alone in their cells for as long as they were, and the health department had not structured its work specifically to care for inmates with limited communal interaction."

Excerpt from the Stavanger Prison inspection report

6.6 Risk that extensive cell confinement becomes normalised

A lack of awareness and accurate data on the extent of daily confinement has hindered efforts by both prison staff and healthcare services to systematically prevent isolation-related harm. Our findings also illustrate the significant risk of institutional blindness in closed environments such as high-security prisons. Staff working in such settings may become so accustomed to

routine prison life that they fail to recognise problematic detention conditions. This may result in local measures not being implemented and important concerns not being reported to higher levels of authority. We found several examples of this during our visits to prisons in 2023–2024.

6.7 Lack of time to cover basic needs

Inmates who spend extended periods locked in their cells also have fewer opportunities to meet their basic needs that require time outside the cell. Several inmates described the short out-of-cell periods as stressful. During this limited time, they were expected not only to socialise but also to complete essential tasks such as laundry, cooking, and exercise. In prisons without in-cell showers, inmates also had to fit showering into this brief window. In some units, as many as 27 inmates shared a single shower.

In several prisons, inmates also had to use this limited time slot to call family and friends. In Ålesund Prison, only two phones were available in the communal area. Inmates could use them only during the already limited communal period, leading to a race to the phones and long queues.

At Eidsberg Prison, phone access had recently been restricted due to staffing shortages and the lock-in regime. As a result, calls could not be made during lockdown periods. Inmates in communal units could only make phone calls in the morning every other week, as one unit was always locked down in the afternoon. This severely limited inmates' ability to contact family, children, and friends, further exacerbating the burden of long-term lock-in.

"Inmates say it affects them mentally. They want to call someone—like someone who wants to talk to his son, but he can't do it when he wants. If there was more time out of the cell, they'd have more time to call, cook, and exercise. Now they only have two hours, and some want to exercise, cook, call, shower, there's not enough time. They don't have time to talk to other inmates. So they become more isolated, and they're locked back in right away."

Inmate in conversation with the NPM

Some inmates also reported increased difficulty getting help with applications or practical matters related to sentence progression, due to extensive in-cell confinement. Staff in several prisons confirmed this, noting that they had limited time to conduct assessments or assist inmates individually.

This shows that, in practice, extensive cell confinement leads not only to reduced opportunities for social interaction but also to restrictions on other basic rights and needs, undermining the rehabilitative purpose of imprisonment. For many inmates, the opportunity to experience meaningful contact with others was severely limited. This compounded the negative effects of confinement.



6.8 Increased risk of conflict and coercion

The hopelessness and frustration many inmates experienced due to extensive cell confinement contributed to a heightened risk of conflict and unwanted incidents. This, in turn, led to formal isolation decisions or the use of coercive measures like placement in security cells. The risk was heightened by the fact that many prisons did not have enough staff on duty to respond to requests for help from locked-in inmates.

Both inmates, the prison leadership and staff linked extensive lock-in to disruptive behavior.

Research on inmate experiences supports the conclusion that meaningful activity and adequate follow-up can help prevent coercive incidents such as the use of security cells.⁶⁷ The NPM has expressed serious concern that low staffing levels reduce inmates' sense of safety and hinder the prevention of coercion and isolation.

The Directorate of Correctional Services' annual report shows that the number of inmates placed in isolation in security cells, or in their own cells for safety reasons, increased from 2022 to 2023. This coincided with a rise in violence and threats among inmates compared to previous years.

The causes of this development are complex. The Directorate highlights multiple contributing factors: a growing number of inmates with complex needs, more inmates with psychiatric disorders, and a rise in inmates affiliated with organized groups who bring external conflicts into prison.

The NPM emphasises that high-security prisons must focus more on reducing the risk of conflict and coercion by offering a more normalized prison experience, with opportunities for social interaction and meaningful activities. It is especially important to recognize that extensive cell confinement has disproportionately harmful effects on vulnerable inmates, particularly young people and those with mental health issues.



⁶⁷ Stang, J. and Østberg, B. (2006). Inmates' Suggestions for Preventing Isolation in Security Cells. *Journal of the Norwegian Psychological Association*, 43(3), 30–33.



"It's starting to wear people down. It leads to aggression and frustration—if you have a problem, you just get locked in anyway."

Inmate in conversation with the NPM



"People like me, for example, with mental health issues, do not benefit from being this isolated. Eventually, things go wrong, people snap, there are threats of violence, shields, etc. You get very frustrated in these situations when you're isolated. You only have yourself and your thoughts."

Inmate in conversation with the NPM



"The inmates at Oslo Prison described a range of negative consequences from the extensive lock-in. The NPM was told about a rapid and visible decline among some individuals. Inmates often responded with increased frustration and aggression when locked alone in their cells for long periods. This unrest also caused other inmates to withdraw from communal settings. We heard of inmates who, after prolonged lock-in, no longer participated in communal activities, even when the opportunity was restored. This may indicate signs of isolation-related harm."

Excerpt from a letter to the Directorate of Correctional Service regarding the conditions in Oslo Prison (2024).



"Yes, there's no doubt that inmates can be affected [by a lot of cell confinement], especially when something sad happens in their family or network. Some will say it feels empty and sad—others you can just see it in them. They're restless, get angry easily."

Prison Officer interviewed by the NPM



Prevention Unit: "How does the lock-in affect inmates?"

Staff member: "I think, as in the research, the more cell confinement, the more mental health issues for an inmate, which can lead to unwanted incidents. It may result in more depression, anxiety, substance abuse, which in turn can lead to antisocial behavior toward inmates and staff. I see this every day because I work in a prison and witness the problem firsthand."

Senior Prison Officer interviewed by the NPM



"Isolation as a means of preventing suicide and self-harm is the prison's last resort. We will always attempt other interventions first. Unfortunately, in some cases, we are forced to use a security cell to prevent suicide or self-harm. We have a prison population where many struggle with poor mental health. We know that increased human contact can reduce the use of security cells, but we have limited staffing resources and cannot offer that to the extent we would like."

Excerpt from Trondheim Prison's response to the NPM's visit report 2024

6.9 Increased risk of self-isolation

Several inmates told us that prolonged cell confinement and uncertainty about its duration led to feelings of insecurity and hopelessness. While some reacted with frustration and anger, others became apathetic, slept excessively, reversed their sleep cycles, and avoided contact with others, even when given the opportunity to socialise.

"The lock-in really affects me. I don't know what I'll do when I get out, probably won't even be able to go to a shopping mall. I just want to sleep, dream it away. The TV is my best friend—without it, I wouldn't manage. The others are affected too; some make their own noises as they walk around."

Inmate in conversation with the NPM

"I see that people have resigned, there is heavy use of Valium, zombie mode."

Inmate in conversation with the NPM

Several staff members expressed concern about the long-term consequences of extended cell confinement. They observed that inmates became withdrawn, less active, and more fatigued despite little physical exertion, and that many became increasingly reclusive.

"I get a bit scared at how quickly inmates adapt. Of course, it's 'convenient' that there's less arguing about it, but it's a bit alarming."

Prison Officer in an interview with the NPM

After long periods of cell confinement, some inmates no longer wished to participate in the limited communal time offered.

"During Easter, we had extra staff to maintain regular opening hours, but the inmates got tired—they found it exhausting to have so much time outside the cell. That's a red flag, in my opinion."

Prison Officer in an interview with the NPM

Apathy and social withdrawal are common responses to isolation-like conditions. The strain of prolonged confinement makes it harder for inmates to reintegrate into communal life, increasing the risk of self-isolation. This risk is particularly high among inmates who are already anxious or otherwise vulnerable, such as those with mental health challenges.

The path back to social interaction is difficult for many, partly because several prisons have so few officers on duty that safe communal interaction cannot be ensured. Inmates often reported minimal staff presence, and officers confirmed they were unable to sufficiently safeguard vulnerable inmates. In many cases, limited visibility and support from staff was the direct cause of inmates choosing to remain alone in their cells.

The NPM has previously pointed out that isolation and limited social contact may lead to passivity and social withdrawal, potentially resulting in long-term self-isolation.⁶⁸

Figures from the Correctional Service show that the number of inmates fully excluded from communal activities for over 42 days increased from 2022 to 2023.⁶⁹ In 2023, an average of 13 such exclusions per month were reported, which is up from 8 the year before.⁷⁰ Inmates who self-isolate are overrepresented in these long-term exclusion cases.⁷¹

⁶⁸ The Parliamentary Ombud, Special Report 2019, Chapters 6.3 and 8.1.

⁶⁹ Directorate of Correctional Service, Annual Report 2023, pp. 61–62.

⁷⁰ These figures only reflect completed decisions. Some inmates have self-isolated for much longer, in a few cases for several years.

⁷¹ Directorate of Correctional Service, Annual Report 2023, p. 63, Figure 24.

6.10 Unequal treatment across prisons

To ensure humane prison conditions and promote reintegration into society, inmates must be offered a prison life that is as close to normal as possible. This includes a minimum level of daily social contact and opportunities to engage in meaningful activity.

Our visits have uncovered significant differences between prisons in terms of how much time can be spent

out of cell as well as the programs that are offered to inmates. What offer you are given seems to be left to chance. Inmates in prisons that practice extensive cell confinement have fewer opportunities to build skills and knowledge that can support a law-abiding life after release. It is problematic that the current regulatory framework allows such a high degree of unequal treatment of inmates.

6.11 A high burden on prison staff

Extensive cell confinement, often as a result of low staffing levels (see Chapter 2.5) also places a heavy burden on prison staff, particularly officers who work directly with inmates. During our visits, many officers said they no longer felt able to apply the principles of rehabilitation and fostering personal development that they had been trained in.

“Both the management and staff pointed out that the low number of officers made it difficult to carry out targeted reintegration work while also maintaining safety and security through staff presence.”

Excerpt from NPM visit report to Froland prison (2023)

Instead, many staff reported that their role had been reduced to locking inmates in and out of cells.

“Many prison officers felt they were never enough, and that they mostly were in the business of “just storing people”

Excerpt from NPM visit report to Eidsberg prison (2024)

When inmates are confined due to staffing shortages, this also increases the workload for the few who are on duty, as more of the follow-up has to take place on a one-to-one basis.



The negative effects of cell confinement on inmates further contribute to stress among the staff. Increased inmate frustration has led to conflict, threats, and in some cases, violence toward staff. In several prisons, staff reported feeling unsafe, particularly when many inexperienced or temporary employees were on duty. Some experienced officers described managing violent incidents alone, choosing not to involve untrained colleagues for safety reasons. Staff also described the emotional toll of witnessing the despair and psychological deterioration of inmates.

“Several staff members were worried that their colleagues were at risk of burnout. Handling demanding inmates in restrictive units, along with recent suicides and suicide attempts, had caused major strain.”

Excerpt from NPM visit report to Bodø prison (2023)

A 2023 survey on psychological strain among prison staff in Norway confirmed that such stress is widespread among those working directly with inmates.⁷² Of those surveyed:

- › 70% reported experiencing threats
- › 66% had experienced harassment or abuse⁷³
- › Just over 50% had witnessed violence between inmates
- › Two out of three had witnessed suicide attempts or completed suicides

Figures from the Directorate of Correctional Service for 2023 show a sharp increase in violence and threats against staff. Registered violent incidents in 2023 nearly doubled compared with the previous year (from 225 to 406), and threats against staff and their families also rose significantly.⁷⁴



⁷² Rambøll Management Consulting, Mapping of Psychological Strain Reactions Among Employees in the Correctional Service (2023), report commissioned by the Directorate of Correctional Service.

⁷³ 1,746 current and 323 former employees participated in the survey. The response rate was 41% and 55%, respectively.

⁷⁴ Directorate of Correctional Service, Annual Report 2023, p. 89.

Part III

Conclusion

Conclusion

Based on the findings presented in this report, the Parliamentary Ombud states that the situation in Norway's high-security prisons is deeply concerning.

Our investigations show that a significant number of inmates live under conditions where they are out of their cells for less than eight hours a day, in breach of international minimum standards. Many inmates are confined for 19 to 22 hours each day, without a formal isolation order and without this being the result of their behavior or individual circumstances. In some cases, confinement even exceeded 22 hours (see Chapter 5).

These conditions are not the result of extraordinary circumstances but rather reflect everyday life in Norwegian prisons. Some inmates had been subjected to de facto isolation for weeks or months, with no clear indication of when it would end.

Isolation has a wide range of serious consequences (See Chapter 6) and disproportionately affects vulnerable inmates such as young people and those with mental health problems.

Many inmates appeared visibly affected by the strain of prolonged cell confinement. Several exhibited symptoms consistent with isolation-related harm, which in some cases also was documented by health-care staff (Chapter 6.3). This widespread confinement is prompted by inadequate staffing and insufficient infrastructure, not by inmates' conduct (Chapter 4). The lack of individual assessments also limits procedural safeguards for individual prisoners, such as the right to receive a justification or the right to appeal.

These conditions increase the risk that the European Court of Human Rights (ECtHR) would find that Norway has violated Article 3 of the European Convention on Human Rights (ECHR), which prohibits inhuman or degrading treatment (see Chapter 3). The extensive cell confinement practice also creates risk of violating Article 8, which guarantees the right to privacy and

family life. The threshold for a violation under Article 8 is lower than under Article 3.⁷⁵ The NPM strongly question whether a national policy of locking inmates into their own cell for nearly the entire day, for indefinite periods and due solely to resource shortages, can be considered proportionate or compatible with the requirements of a democratic society.⁷⁶

The Parliamentary Ombud therefore concludes that the findings present a real risk of violations of the prohibition against inhuman or degrading treatment in several prisons. There is also a risk that inmates' fundamental rights under Article 8 of the ECHR are being infringed.

The current minimum standard applied by the correctional service (Chapter 5.3) allows for inmates to be subject to de facto isolation of up to 22 hours a day solely due to resource constraints. This is serious and problematic in a modern state governed by the rule of law.

We are not aware of any international case law permitting de facto isolation on the basis of resource limitations, and the outcome of any future legal challenge remains uncertain. However, it is clear that Norwegian high-security prisons are systematically failing to meet international minimum standards, which require that inmates be allowed at least eight hours out of cell each day. Norwegian authorities have already been criticized by both the UN Subcommittee on prevention of torture and the Council of Europe's Committee for the Prevention of Torture (CPT) for extensive cell confinement due to a lack of staff and inadequate facilities (see Chapter 5.2).

The findings in this report (Chapters 4) show that inadequate facilities and low staffing levels are causing inmates to spend long periods alone in their cells.

⁷⁵ For further elaboration on legal assessments, see the Parliamentary Ombud's consultation response on amendments to the Execution of Sentences Act and the Health and Care Services Act (association, exclusion, and coercive measures in prison), 15 June 2023, pp. 11–16.

⁷⁶ See also the ruling from Borgarting Court of Appeal, 2 August 2019 (LB-2019-113010), and Bergen District Court, judgment of 26 June 2019 (TBERG-2018-153795-2). In both cases, a violation of Article 8 was found in relation to de facto isolation exceeding 22 hours per day.

Many prisons lack the conditions necessary to support a daily routine that provides sufficient social contact and meaningful activity. Projections from the Correctional Service suggest that the situation is unlikely to improve and that conditions may in fact even worsen without comprehensive measures.⁷⁷

The state has a duty to ensure humane prison conditions (see Chapter 3). This means providing both a clear legal framework and sufficient resources to enable the Correctional Service to uphold the fundamental rights of inmates.

In this context, the Parliamentary Ombud reiterates the recommendations made in the 2019 special report, particularly noting the lack of follow-up on our recommendation to establish national regulations that guarantee inmates at least eight hours of meaningful communal activity per day, and closing or adapting all prison units that are unsuitable for communal living.

Widespread cell confinement and de facto isolation is harmful and undermines both the prison environment and one of the core purposes of incarceration, namely helping inmates to live law-abiding lives after their release. It also places an increased burden on staff and elevates the risk of conflict and the use of coercive measures.

«The Parliamentary Ombud states that the findings on extensive cell confinement and de facto isolation entails a risk for the breach of the ban on inhumane and degrading treatment»



77 Directorate of Correctional Service, Annual Report 2023, pp. 68–69 and 101–106.

Appendix: Government follow-up on the Special Report to the Storting on solitary confinement and lack of human contact (2019)

Below we provide a short overview on how the government has followed up our recommendations:

1. **Ensure reliable and publicly available data on the extent of solitary confinement in Norwegian prisons.**
 - › The Directorate of Correctional Service has, since January 2020, published national statistics on isolation on a monthly basis.⁷⁸
 - › Data is drawn from:
 - *Formal exclusion decisions registered in the KOMPIS case management system*
 - *Spot checks in the prisons on randomly selected days, conducted three times a year. Covering inmates who on the given day have less than two hours of contact with others, and those who have between two and eight hours of contact with others.*
 - › The data is still highly uncertain with several potential sources of error and should be interpreted with caution.⁷⁹
2. **Establish a national standard to ensure that inmates have the possibility of associating with others for at least eight hours every day and are offered meaningful activities. (see point 4)**
3. **Amend the provisions of the Execution of Sentences Act to ensure that**
 - › solitary confinement is only used in exceptional cases and for as brief a period as possible;
 - › follow-up off all inmates in solitary confinement in accordance with human rights standards;
 - › solitary confinement for 22 hours or more a day is prohibited in situations mentioned in the Nelson Mandela Rules.

(see point 4)
4. **Submit a proposal for a statutory or regulatory duty to prevent the use of solitary confinement in prisons.**
 - › On 2 February 2023, the Ministry of Justice and Public Security issued a consultation paper proposing amendments to the Execution of Sentences Act and relevant health legislation.⁸⁰ The proposals were intended to follow up on the Parliamentary Ombud's 2019 special report.
 - › The Ministry proposed a provision stating that "the Correctional Service shall work to ensure that inmates can spend eight hours outside their cell each day." This provision was not intended to establish individual legal rights or obligations.
 - *The consultation paper initially estimated the annual cost of implementation at NOK 185 million. This figure was later revised to NOK 328 million by the Directorate of Correctional Service.⁸¹*
 - › The Ministry also proposed that inmates spending fewer than four hours per day outside their cells be classified as excluded from communal activity. This would imply that all other inmates must be ensured access to at least four hours of communal time each day.

⁷⁸ Statistical reports are available on the Norwegian Correctional Service's website.

⁷⁹ Parliamentary Ombud, Special Report 2019, p. 34.

⁸⁰ Ministry of Justice and Public Security, 2 February 2023, consultation paper proposing amendments to the Execution of Sentences Act and the Health and Care Services Act (association, exclusion, and coercive measures in prison).

⁸¹ Directorate of Correctional Service, Annual Report 2023, p. 69.

- › The Ministry proposed several changes to the rules on exclusion from communal activity, including codifying that:
 - *The Correctional Service shall facilitate inmate interaction and prevent isolation*
 - *Exclusion from communal activity shall be used only in exceptional circumstances and must be strictly necessary*
 - *Excluded inmates must be guaranteed a minimum of two hours of meaningful contact with others each day*
 - *Exclusion shall generally not exceed three months, except in cases of "special circumstances"*
- › The consultation deadline was 1 June 2023. The Parliamentary Ombud submitted comments.⁸² As of 4 March 2025, the matter remains under ministerial consideration.

5. Strengthen the Correctional Service's supervisory regime by defining a legal mandate that ensures systematic and regular supervision in accordance with international human rights standards

- › On 3 March 2023, the Ministry of Justice and Public Security submitted a legislative proposal to amend the Execution of Sentences Act with the aim of strengthening the inspectorate for convicted and remanded inmates.⁸³ The law was adopted by the Storting and entered into force on 1 January 2025.⁸⁴
- › The amendments included the establishment of an independent, nationwide Supervisory Council.
 - *The Council is mandated to ensure that detainees in institutions under the Correctional Service are treated in accordance with the law and that their welfare is protected.*

6. Ensure that common professional guidelines are drawn up to ensure satisfactory follow-up of inmates in solitary confinement.

- › Since 2022, the Correctional Service has introduced resource and activity teams in several prisons. These teams are responsible for ensuring that inmates placed in isolation are offered at least two hours of meaningful human contact per day.⁸⁵
 - *Work is underway to develop professional guidance for staff working in these teams.*⁸⁶
- › The Directorate of Correctional Service has also mandated that prisons develop weekly activity schedules for isolated inmates, to ensure systematic follow-up through dialogue and tailored programming.⁸⁷

7. Prepare a plan for closing down or adapting all prison sections currently not adapted for association between inmates.

- › According to the Ministry of Justice and Public Security, as of June 2022, approximately 660 prison places were located in units where inmates, on average, had less than eight hours of communal time per day.⁸⁸
- › In 2023, the Directorate of Correctional Service conducted a review of the causes behind insufficient communal time of eight hours outside of cell in some prisons.⁸⁹ The resulting report recommended the closure or renovation of facilities lacking appropriate communal infrastructure. A follow-up report in 2024, developed jointly with the Directorate of Public Construction and Property, provided further recommendations as part of a broader structural assessment of prison facilities.⁹⁰

82 The Parliamentary Ombud's consultation response on amendments to the Execution of Sentences Act and the Health and Care Services Act (association, exclusion, and coercive measures in prison).

83 Proposition to the Storting (Prop. 46 L (2022–2023)).

84 Recommendation to the Storting (Innst. 319 L (2022–2023)). Act of 2 June 2023 No. 18. See also Regulation of 9 December 2024 No. 3005 on the Supervisory Council for the Correctional Services, which entered into force on 1 January 2025.

85 Directorate of Correctional Service, Annual Report for 2023, pp. 67 ff.

86 Directorate of Correctional Service, Consultation – Guide for Isolation-Reducing Work – Activation Teams and Resource Teams, 12 April 2024. The consultation deadline expired on 14 June 2024, and as of 4 March 2025, the matter is under consideration by the Directorate.

87 Directorate of Correctional Service, Circular – Weekly Schedules for Excluded Inmates, KDI/3/2023, 12 June 2023.

88 Ministry of Justice and Public Security, Consultation Paper of 2 February 2023, Proposal to Amend the Execution of Sentences Act and the Health and Care Services Act (Association, Exclusion, and Coercive Measures in Prison), p. 121.

89 Directorate of Correctional Service, Mapping of Units and Wards – 8 Hours Out-of-Cell Time for Inmates (2023).

90 Directorate of Correctional Service and Directorate of Public Construction and Property, Future Prison Capacity: Assessments and Recommendations

8. Revise the national guidelines to health and care services for prison inmates, to ensure that the detrimental effects of isolation are identified and that inmates in solitary confinement receive follow-up.

- › In spring 2023, the Directorate of Health released a draft of its National Professional Guidelines for Municipal Health and Care Services for Inmates for public consultation.
 - *Following extensive input, the Directorate decided to convert the guidelines into a regulatory guide aligned with relevant legislation.*
- › A draft of the regulatory guide was circulated on 18 October 2024, with a consultation deadline of 19 January 2025.⁹¹
 - *The draft includes specific requirements for the medical follow-up of inmates placed in isolation or security cells.*

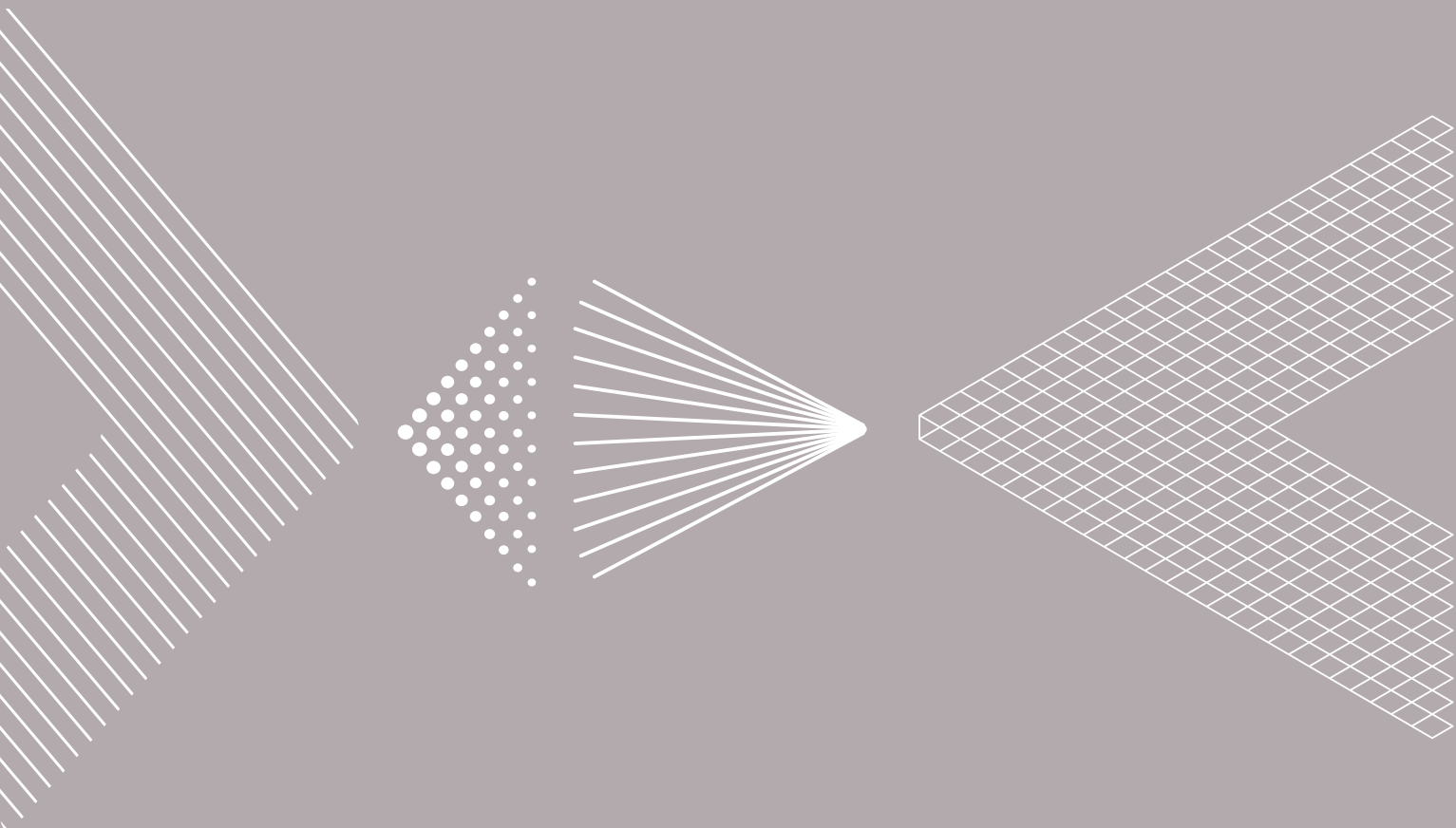
9. Establish by law that the health service is responsible for following up inmates in solitary confinement, so that inmates who are isolated or excluded from company are followed up by medical personnel on a daily basis.

- › On 1 June 2023, the Ministry of Justice and Public Security issued a consultation paper proposing amendments to the Execution of Sentences Act and health legislation.
- › Among the proposals was a legal requirement for daily medical supervision of inmates held in security cells or under restraint, to be incorporated into the Health and Care Services Act.
 - *The proposal did not include a similar obligation for inmates placed in isolation. The Ministry of Health and Care Services deemed such a provision unnecessary, arguing that it is already implied under the general duty of responsible care.*
- › The consultation deadline was 1 June 2023. As of 4 March 2025, the matter remains under ministerial review.

10. Ensure that the prison health services are provided with a stronger common professional platform, with particular focus on competence relating to inmates' special health issues, solitary confinement and the detrimental effects of isolation.

- › In spring 2019, the Directorate of Health established an advisory council for health and dental services in prisons.
 - *The council promotes professional development in prison healthcare and serves as an advisory body to the Directorate in matters concerning the provision of healthcare for inmates.*

91 Directorate of Health, Health and Care Services for Inmates in Prison, Draft Guide for Public Consultation, 18 October 2024.



Office address: Akersgata 8,
Oslo Postal address: P.O. Box 3 Sentrum, NO-0101 Oslo
Telephone: +47 22 82 85 00
Free of charge: +47 800 80 039
E-mail: postmottak@sivilombudet.no
www.sivilombudet.no