



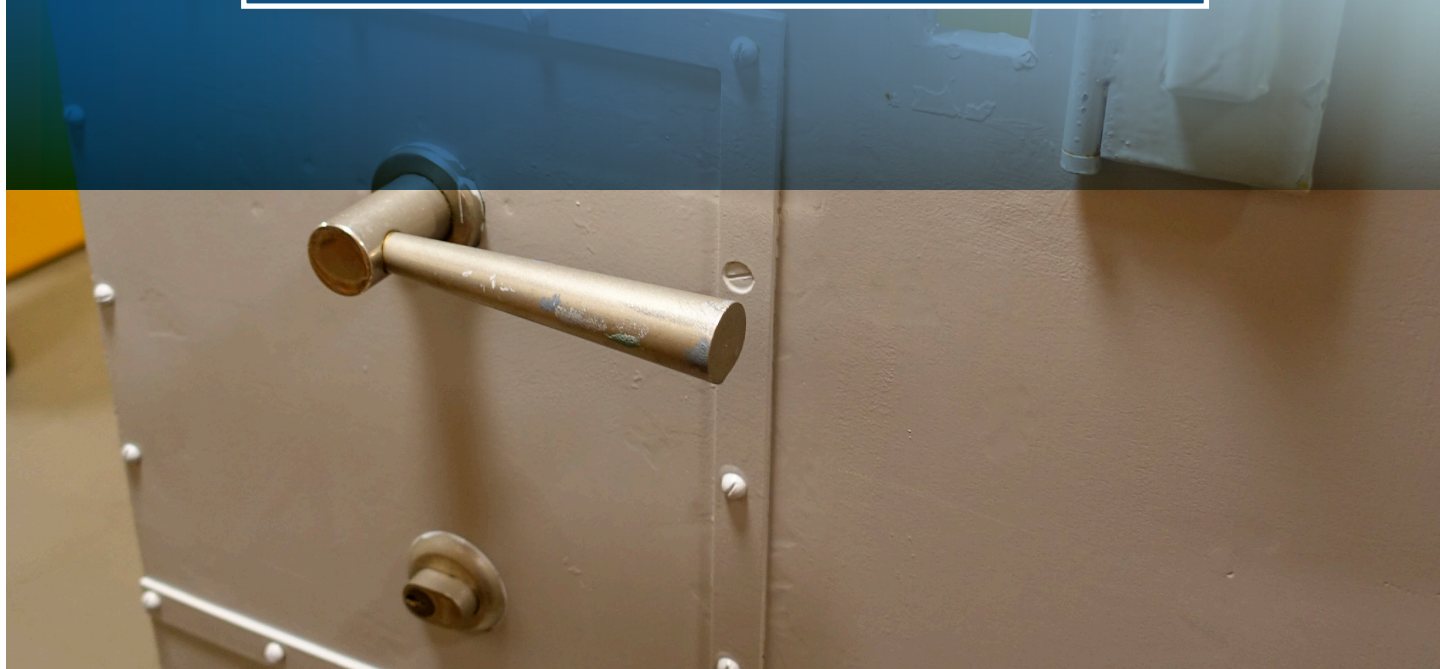
SIVILOMBUDET
Norwegian Parliamentary Ombud

VISIT REPORT | no. 87

SUMMARY AND RECOMMENDATIONS

Åna Prison

March 10 to 12, 2025



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



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National Preventive Mechanism

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I. The Parliamentary Ombud's prevention mandate

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

The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Convention against Torture), adopted in 1984, plays a central role in this. The same prohibition is also embodied in the UN International Covenant on Civil and Political Rights (Article 7), the UN Convention on the Rights of the Child (Article 37), the UN Convention on the Rights of Persons with Disabilities (Article 15) and the European Convention on Human Rights (Article 3). Norway has ratified all of these conventions.

People who have been deprived of their liberty are vulnerable to violations of the prohibition against torture and inhuman treatment, which is why the UN adopted an optional protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2002.

The protocol requires that states establish bodies to ensure that persons who are deprived of their liberty are not subjected to torture and other cruel, inhuman or degrading treatment or punishment.¹ The Parliamentary Ombud has established its own national preventive mechanism (NPM) in order to fulfil this mandate.

The Parliamentary Ombud has access to all locations where persons are or may be deprived of their liberty. These range from prisons and police custody facilities to mental health care institutions and child welfare institutions. Visits are conducted with or without prior notice. The Parliamentary Ombud also has access to all necessary information of significance for how deprivation of liberty is implemented.

The risk of torture or inhuman treatment is affected factors such as legal and institutional frameworks, physical conditions, training, resources, management and institutional culture.² Effective prevention work therefore requires a broad approach that does not focus exclusively on whether the situation complies with Norwegian law.

The Parliamentary Ombud's assessments of conditions that pose a risk of torture and inhuman treatment are based on a broad range of sources. During the visits, the national preventive mechanism examines the conditions at the location through observations, interviews, and documentation reviews. Private interviews with persons deprived of their liberty is a particularly important source of first-hand information about the conditions. Interviews are also conducted with staff, management and other relevant parties and documentation is obtained to clarify the conditions at the location, such as guidelines, decisions, logs and health documentation.

After each visit, a report is written, describing findings and recommendations for how the facility in question can prevent torture and other cruel, inhuman or degrading treatment or punishment.

¹ Sections 1, 17, 18 and 19 of the Norwegian Parliamentary Ombud Act.

² UN Subcommittee on Prevention of Torture (SPT), Prevention Mandate Recommendations, 30 December 2010 CAT/OP/12/6.

The reports are published on the Parliamentary Ombud's website, and the facilities visited are given a deadline for informing the Ombud about their follow-up to the recommendations. These letters are also published.

In its endeavours to fulfil the prevention mandate, the Parliamentary Ombud also engages in extensive dialogue with national authorities, control and supervisory bodies in the public administration, civil society, and international human rights organisations.

II. Summary

Placement in a security cell is a coercive measure that exposes the prisoner to a high risk of inhuman or degrading treatment. The Parliamentary Ombud's preventive mechanism therefore examined the use of security cells in Åna Prison (high-security division). During the investigation period 1 January 2024 – 12 March 2025, the prison made 27 placements in a security cell.

Particularly burdensome physical conditions

The two security cells are located in the prison basement, apart from the other units. A pronounced smell of sewage and a noteworthy high temperature prevail in these cells. With few sensory stimuli and no daylight, the conditions are very onerous for prisoners placed there.

Deficiencies in the care of prisoners placed in a security cell

Prisoners described the stay as degrading, unhygienic and punitive. They had no opportunity to maintain personal hygiene. In a serious case the team found a prisoner who spent 24 hours in a security cell smeared with faeces without being allowed to wash. Food was routinely pushed in through a floor-level hatch. The prison's efforts to prevent isolation damage arising from the security-cell placement showed major shortcomings.

Serious weaknesses in security-cell decisions and continuation reviews

The prison's decisions to use a security cell had serious shortcomings. Firstly, the grounds for placement often lacked descriptions of why it was strictly necessary, and which less intrusive measures had been attempted first. Secondly, there were no assessments of whether the measure was proportionate to the individual prisoner. Together, these deficiencies made it difficult to verify the legality of the decisions.

The prison is obliged to assess continuously whether the security-cell placement should continue. In some cases, more than 20 hours passed between assessments. Many assessments were weak and showed limited knowledge of the legal requirements; none were made at night. This created a clear risk that prisoners remained in a security cell even though the strict statutory conditions were no longer met.

In certain cases, prisoners stayed in a security cell because they had not apologised for their behaviour. That is not consistent with the law. The prison must work actively to end the coercive measure as soon as possible, bearing in mind that placement in a security cell can itself affect the prisoner's ability to co-operate or communicate.

Prolonged security cell stays

Infrequent and cursory termination assessments led to lengthy placements that were not strictly necessary. In 2024 the average stay lasted almost two days (42 hours), giving Åna Prison the longest average security-cell stay in Norway that year. The prison carried out no systematic evaluation of its security-cell use, which is worrying considering the small number of prisoners who spent long and repeated periods there.

Placements with a particularly high risk of inhuman or degrading treatment

Repeated and sometimes prolonged placements in a security cell, combined with periods of exclusion from association, exposed some prisoners to a particularly high risk of inhuman or degrading treatment. The prison did not assess the impact of this cumulative isolation, either when deciding on a placement or during subsequent reviews. Repeated use of the security cell could itself contribute to further negative incidents involving prisoners.

Strengthen health-care follow-up in the security cell

Although the prison had good routines for notifying health personnel about security-cell placements, it took too long in some cases before the prisoner received medical attention, both during and outside municipal health-service opening hours. There were also examples of prison staff deciding for themselves whether a medical check was needed, despite not being qualified to make such assessments. Prison staff must not take decisions that could prevent prisoners from receiving adequate health care. Prisoners were not allowed to speak confidentially with health personnel in the security cell.

In some cases, health personnel made assessments that could cast doubt on whether they had a role in deciding on security-cell use. That is incompatible with their independent role. Health personnel working with prisoners must not approve the prison's use of coercion or take part in decisions on restrictive measures.

III. Recommendations

Decision on security cell placement

1. The prison must ensure that a security cell is used only when the measure is strictly necessary, less intrusive alternatives have been tried or assessed, and the intervention is proportionate.
2. The prison must record a concrete justification showing that all statutory criteria for using a security cell are met, and the prisoner should be given an opportunity to be heard.
3. The prison should not use a security cell to prevent or deal with self-harm or attempted suicide.

Follow-up of prisoners at a security cell

4. The prison should ensure that an individual assessment is always made and documented when handcuffs are used, a body search is performed, or the prisoner is deprived of clothing in connection with placement in a security cell.
5. The prison should ensure that food and drink are provided in a respectful manner and, as far as possible, without using the floor-level hatch.
6. The prison should ensure that it is possible to maintain personal hygiene in a security cell, regardless of whether the prisoner requests it.
7. The prison should strengthen its follow-up of prisoners in a security cell in order to prevent isolation-related harm. Follow-up should help end the placement as quickly as possible.
8. The municipality should ensure daily health supervision and follow-up of prisoners placed in a security cell, and that this is documented in the medical record.
9. The municipality should ensure that every placement in a security cell is recorded in the medical file—even when no health visit has taken place—and that the record includes concrete information on physical conditions, the intrusiveness of the measure and any use of force.
10. The municipality should ensure that health-care personnel safeguard their professional independence when following up prisoners in a security cell.

Assessment of continuation on security cell

11. The prison should ensure that ongoing assessments are made of whether the legal conditions for continued placement are met, and that these assessments are documented at least every six hours.
12. The prison must ensure that a security-cell placement ends immediately once the statutory criteria are no longer met.

Security-cell placements with a particularly high risk of inhuman or degrading treatment

13. The prison should introduce special measures to prevent prolonged and repeated use of the security cell.

Preventing the use of security cells

14. The prison should strengthen its efforts to evaluate and prevent the use of the security cell and involve prisoners in this work.

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