



SIVILOMBUDET
Norwegian Parliamentary Ombud

VISIT REPORT | no. 90

SUMMARY AND RECOMMENDATIONS

**Bjørgvin Prison,
Juvenile unit**

5.-7. May 2025



National Preventive Mechanism against
Torture and Ill-Treatment



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I. The Parliamentary Ombud's investigation of the use of security cells at the juvenile detention unit, Ungdomsenhet Vest

The Parliamentary Ombud's mandate to prevent torture and inhuman treatment

Persons deprived of their liberty are vulnerable to violations of the prohibition against torture and inhuman or degrading treatment. The Optional Protocol to the UN Convention against Torture requires states to establish a body tasked with preventing torture and other cruel, inhuman or degrading treatment or punishment of persons deprived of their liberty. This mandate is fulfilled by the Parliamentary Ombud's National Preventive Mechanism (NPM).¹

In prisons, placement in a security cell is a coercive measure that entails a high risk of inhuman or degrading treatment. The NPM has therefore examined the use of this measure in selected prisons.

The NPM's visit to Ungdomsenhet Vest

The Parliamentary Ombud's National Preventive Mechanism visited Ungdomsenhet Vest from 5 to 7 May 2025 to investigate the use of the security cell.² The visit was unannounced. During the visit, the team inspected the security cell and the reinforced cell, conducted interviews with young prisoners and staff at the facility, and interviewed staff from the municipal health service working in the prison. Extensive documentation was collected from the prison and the health service during and after the visit.

The investigation covered the use of the security cell from 1 January 2024 to 1 April 2025. During this period, the prison made nine decisions concerning placement in a security cell. For privacy reasons, some information is omitted in this report, as it could help identify the individuals involved. This is particularly important given the prison's limited capacity and the small number of prisoners. The Parliamentary Ombud's specific concerns about certain serious and recurring matters will therefore be followed up separately in dialogue with the prison, outside the public report.

Ungdomsenhet Vest

Ungdomsenhet Vest is one of three youth detention facilities in Norway. It is located within the grounds of Bjørgvin prison in Bergen. The unit has four places for juveniles of both genders and receives both remand and sentenced prisoners. It is in a separate building, with cells, common areas and the guard station on the ground floor, and administration and visiting areas on the first floor. The restrictive zone, which includes the security cell and the reinforced cell, is located at one end of the ground floor.

Health services in the prison

The City of Bergen has a health department based at Bjørgvin prison, which also provides health services to Ungdomsenhet Vest. The health department is staffed during the day, five days a week. The unit has an agreement with the health department at Bergen prison, located nearby, which can

¹ The Parliamentary Ombud Act (Sivilombudsloven) §§ 1, 17 and 18.

² Those who took part in the visit on behalf of the Norwegian Parliamentary Ombud's National Preventive Mechanism were Helga Fastrup Ervik (Head of Division), Inga Tollefsen Laupstad (Senior Adviser, Lawyer), Tonje Østvold Byhre (Senior Adviser, Specialist Psychologist) and Mari Dahl Schlanbusch (Senior Adviser, Social Scientist).

be contacted as needed during evenings, weekends, and holidays. Outside the opening hours of the health departments in Bjørgvin and Bergen prisons, the unit must contact the municipal emergency medical service.

II. Summary

Placement in a security cell is a highly intrusive coercive measure with significant potential for harm. The NPM therefore examined the use of security cells at Bjørgvin prison, Ungdomsenhet Vest, over a fifteen-month period. During the investigation period, the prison made nine decisions concerning placement in a security cell.

Many juveniles in prison show signs of mental health problems, and it is likely that many have previously experienced of trauma. Placement in a security cell increases the risk of psychological and developmental harm for young people with such backgrounds, both in the short and long term.

The Ombud found a clear risk that young people could be subjected to inhuman or degrading treatment through the use of the security cell.

Burdening physical conditions

The security cell was a bare room containing only a plastic mattress and a hole in the floor serving as a toilet. There was a large window facing an outdoor yard, but otherwise few sensory impressions. The young prisoners could not drink water, maintain personal hygiene, or preserve privacy, such as using the toilet, without being observed. The physical design of the cell was in itself burdensome.

The prison did not apply the correct legal criteria

Given the high potential for harm, the use of security cells is subject to strict human-rights safeguards. The Execution of Sentences Act stipulates that use of such a measure must be “strictly necessary.” In most of the decisions reviewed, the prison had not assessed whether the placement met this threshold. This means the prison applied a lower threshold for use of security cells than permitted by law. Several decisions lacked an adequate assessment of the best interests of the child, and none contained an evaluation of proportionality. These shortcomings represented a serious failure in the legal safeguards for the young people placed in a security cell. It is concerning that these extensive deficiencies were not identified through the prison’s internal control system—especially since the youth unit is expected to possess particular expertise on the legal limits governing the use of coercive measures against juveniles.

Insufficient follow-up of the young people

Most placements in the security cell ended within four hours, but three lasted between 15 and 18.5 hours. The young people were routinely strip-searched, and most were deprived of their own clothing. In one case, a young person remained in the security cell for more than 15 hours without any record showing that food or drink had been offered. Another case involved a young person who requested water but was refused. This is unacceptable.

A particularly concerning finding was that one young person was deprived of all clothing, the mattress and the tear-resistant blanket/poncho, and remained completely naked in the security cell for 14 hours overnight. The young person slept directly on the concrete floor. This incident constitutes a violation of the human-rights prohibition of inhuman and degrading treatment.

Lack of continuous assessments

A stay in a security cell must be ended immediately once the strict legal criteria are no longer met, and the prison is obliged to make ongoing assessments of this. Ungdomsenhet Vest had not documented any continuous assessments, and in only a few cases was it noted that a review had taken place, without any record of its content.

The prison must strengthen its preventive efforts

The investigation revealed significant weaknesses in the prison's work to prevent the use of security cells. Staff authorised to order placements had not received adequate training on the legal requirements for using a security cell. The placements were not evaluated together with the young people to help prevent recurrence. The team also found that the prison frequently failed to use interpreters, even when staff and the young person did not share a common language. In cases where an interpreter could have helped staff identify triggers of fear, anger or distress, the use of interpretation would have been an important tool in preventing conflict situations.

Repeated placements create a particularly high risk of inhuman or degrading treatment

One young person was placed in a security cell repeatedly, and some of the stays were lengthy. This presents a clearly elevated risk of human-rights violations. The prison's failure to document that the best interests of the child and proportionality were adequately assessed is particularly concerning when such intrusive measures are applied repeatedly to the same person.

Most of the placements occurred during a relatively short period that was challenging for the prison. The Parliamentary Ombud emphasises that even during demanding periods, the prison must ensure that the use and management of this most intrusive form of coercion remain within the strict legal and human-rights boundaries that apply.

III. Recommendations

Assessment of the conditions for using a security cell

1. The prison must ensure that a security cell is used only when the measure is strictly necessary, that less intrusive measures have been attempted in vain or are clearly insufficient, and that the intervention is proportionate.
2. The prison must ensure that the best interests of the child are a primary consideration in decisions concerning the use of a security cell, and that the young person is given an opportunity to express their views.
3. The prison must document a concrete justification showing that all legal criteria for using a security cell are met.
4. The prison should not use a security cell to prevent or manage self-harm or suicide attempts.

Handling of young people placed in a security cell

5. The prison should ensure that an individual assessment is always made when handcuffs are used, a body search is performed, or clothing is removed in connection with placement in a security cell. This assessment should be documented.
6. The prison should ensure that it is possible to maintain personal hygiene in a security cell, regardless of whether the young person requests it or not. The prison should ensure that the young person is given access to food and water immediately upon request.
7. The prison should strengthen its follow-up of young people placed in a security cell to prevent harm caused by isolation. The follow-up should help ensure that the placement ends as soon as possible.

Access to health personnel

8. The prison should ensure that health personnel are notified without delay of all placements in a security cell.
9. The municipality should ensure daily supervision and follow-up of young people placed in a security cell, and that this is documented.
10. The municipality should ensure that every placement in a security cell is recorded in the medical file, including cases where health personnel have not carried out supervision. The documentation should include specific information about the physical conditions in the security cell, the intrusiveness of the measure, and any use of force in connection with the placement.

Access to a lawyer

11. The prison should ensure that young people can contact a lawyer during placement in a security cell without delay and in full confidentiality.

Ongoing assessments of continued placement in a security cell

12. The prison should ensure that ongoing assessments are made of whether the legal conditions for continued placement in a security cell are met. These assessments should be documented at least every six hours.

13. The prison must ensure that a stay in a security cell is ended immediately once the legal conditions are no longer fulfilled.

Use of the reinforced cell in connection with security cell placements

14. The prison should ensure that decisions on exclusion clearly describe how the exclusion is to be implemented, and that any additional restrictions and security measures are documented.

Preventive measures

15. The prison should ensure that all staff authorised to decide on the use of a security cell receive thorough training in the legal framework governing juvenile.
16. The prison should make active use of interpreters when necessary to ensure effective communication, both to prevent the use of coercion and to communicate with the young person during coercive measures.
17. The prison should strengthen its efforts to evaluate and prevent the use of security cells, and involve young people in this work.

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