

The European Committee for the Prevention of
Torture and Inhuman Degrading Treatment or Punishment
Council of Europe
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Letter concerning detention of mentally ill persons in Norway

Amnesty International Norway and the Norwegian Helsinki Committee have received disturbing information concerning the situation of mentally ill prisoners at Ila Prison. Detention of mentally ill persons without proper health care remains a serious problem in Norway, in spite of repeated criticism by The European Committee for the Prevention of Torture and Inhuman Degrading Treatment or Punishment (CPT) and other international and national institutions in the past.

We therefore urge CPT to follow up on this issue with the Norwegian government as soon as possible.

In 1993 CPT expressed for the first time concern about a number of prisoners at Ila Prison who required hospitalization because of their state of mental health. CPT firmly recommended that mentally ill persons should not be detained at Ila Prison and that persons diagnosed as mentally ill should be sent to psychiatric hospitals.

The CPT expressed similar concerns and made similar recommendations after its latest visit to Norway in 2005. In its 11 April 2006 Report on Norway, paragraph 76, CPT states:

“As was the case during the 1993 visit, the delegation met a certain number of mentally ill prisoners at Ila Prison. The doctors were clearly trying to transfer them to a psychiatric establishment. However, such transfers were difficult, due to the apparent shortage of hospital beds. Further, their return to the prison was sometimes premature, taking place when the patients’ mental state was not yet stabilised.

The CPT would like to recall that prisoners suffering from a mental illness should be cared for and treated in an adequately equipped and staffed hospital establishment. The rapid transfer of these prisoners to a psychiatric unit allowing them to receive appropriate care should be given a very high priority.

The CPT recommends that the Norwegian authorities take steps to ensure that prisoners suffering from a mental illness are transferred when necessary to an appropriate hospital establishment.”

Recently, up dated information on conditions for mentally ill prisoners in Ila Prison has been presented in a documentary programme “Brennpunkt” produced by the Norwegian Broadcast Corporation (NRK) and broadcasted 3 February 2009. An article by Mrs. Kari Middelthun in a leading daily newspaper (Aftenposten) on 20 February 2009 gives additional information.

Mrs Middelthon has an imprisoned son and is a board member of an organisation for relatives of prisoners.

The documentary follows two men, Bjørn and William, who have been declared as seriously mentally ill, but all they're offered when they have a fit of temper and despair is to be locked up in an isolation cell for 23 hours a day and receiving sedatives. William is suicidal and has made several attempts to commit suicide. Of the 13 years Bjørn has spent in prison, the time he has spent altogether in an isolation cell in Ila Prison sums up to five years.

In Ila Prison there are totally 14 mentally ill prisoners. The Prison Director, Mr. Knut Bjarkeid, has publicly described conditions for mentally ill prisoners as 'torture'.

Amnesty International Norway and the Norwegian Helsinki Committee believe that the current practice of placing prisoners in isolation may lead to further physical and mental deterioration. To place a mentally ill person in isolation without adequate specialist care may lead to an even greater deterioration of that person's mental health.

We believe that such prisoners should be detained in specialized institutions, in conformity with UN Standard Minimum Rules for the Treatment of Prisoners. Rule 22 (2) states: "Sick prisoners who require specialist treatment should be transferred to specialized institutions." In addition, Rule 82 (1) and (2) states that "persons who are found to be insane shall not be detained in prison and arrangements shall be made to remove them to mental institutions as soon as possible". "[P]risoners who suffer from mental diseases or abnormalities shall be observed and treated in specialized institutions under medical management".

There are several provisions in Council of Europe treaties that according to our view preclude the current Norwegian practice of detaining mentally ill persons, including Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms: "No one shall be subjected to torture or to inhuman or degrading treatment or punishment".

According to the Norwegian Patients' Rights Law, § 2-1 "The patient has the right to necessary health care from the specialized health services".

Amnesty International Norway and The Norwegian Helsinki Committee are deeply concerned about the situation for the mentally ill prisoners in Ila Prison and other Norwegian prisons, and that Norway continues to have a practice in breach with its international and national obligations.

Sincerely yours



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